



# THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

Published under the Authority of His Excellency the Governor of the  
Colony and Protectorate of Kenya

Vol. XLIII—No. 12

NAIROBI, March 18, 1941

Price 50 cents

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

Published every Tuesday.

## TABLE OF CONTENTS

	PAGE
Govt. Notice No. 248—For introduction in the Legislative Council—A Bill to Amend the Criminal Procedure Code (Amendment) Ordinance, 1939 .. .. .	188
„ „ „ 249—Appointments, etc. .. .. .	188
Proclamation No. 34—Meeting of Legislative Council .. .. .	188
Govt. Notice No. 250—The Defence (Fixing of Wages) Regulations, 1940 .. .. .	188
„ „ „ 251—The Defence (Fixing of Wages) Regulations, 1940—Appointments .. .. .	189
„ „ „ 252—The Justices of the Peace Ordinance—Appointment .. .. .	189
„ „ „ 253—The Indian Lunatic Asylums Act, 1858—Appointment .. .. .	189
„ „ „ 254—The Mining Ordinance, 1940 .. .. .	189
„ „ „ 255—The Kenya Defence Force Ordinance, 1937—Appointment .. .. .	189
„ „ „ 256—Kilifi District, Coast Province .. .. .	190
„ „ „ 257—The Sisal Industry Ordinance, 1939—Appointments .. .. .	190
„ „ „ 258—The Local Government (District Councils) Ordinance, 1928—Nomination .. .. .	190
„ „ „ 259—The Native Registration Ordinance, 1921—Appointment .. .. .	190
„ „ „ 260—The King's Police Medal .. .. .	190
General Notices Nos. 319–340 .. .. .	190

## SUPPLEMENT No. 11

### KENYA PROCLAMATIONS, RULES AND REGULATIONS

Govt. Notice No. 261—The Defence (Reserved Occupations) Regulations, 1941 .. .. .	92
„ „ „ 262—The Defence (Reserved Occupations) Regulations, 1940 .. .. .	96
„ „ „ 263—The Defence (Amendment No. 1) Regulations, 1941 .. .. .	96
„ „ „ 264—The Defence Regulations, 1939—Order .. .. .	96
„ „ „ 265—The Defence Regulations, 1939—Order—Regulation of Prices .. .. .	97
„ „ „ 266—Official Import and Export List .. .. .	98
„ „ „ 267—Confirmation of Ordinances .. .. .	98
„ „ „ 268–269—The Courts Ordinance, 1931 .. .. .	98
„ „ „ 221–222—The Native Liquor Ordinance, 1930 .. .. .	99
„ „ „ 227—The Traders Licensing Ordinance, 1936—Delegation of Powers .. .. .	100
„ „ „ 232—The Native Lands Trust Ordinance, 1938 .. .. .	100

# Colony and Protectorate of Kenya

GOVERNMENT NOTICE NO. 248

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

R. P. ARMITAGE,  
*Acting Clerk to the Legislative Council.*

## A Bill to Amend the Criminal Procedure Code (Amendment) Ordinance, 1939

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

Short title.

1. This Ordinance may be cited as the Criminal Procedure Code (Amendment) Ordinance, 1941, and shall be read as one with the Criminal Procedure Code (Amendment) Ordinance, 1939, hereinafter referred to as the Principal Ordinance.

No. 35 of 1939.

Amendment  
of section 3 of  
the Principal  
Ordinance.

2. Section 3 of the Principal Ordinance is hereby amended by substituting the word "three" for the word "two" which appears in the eighth line thereof.

5

## OBJECTS AND REASONS

This Bill will increase the maximum period of imprisonment which may be awarded by a first class magistrate from two years to three years.

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

GOVERNMENT NOTICE NO. 249

### APPOINTMENTS

PHILIP GEOFFREY PRESTON M.B., CH.B., to be Medical Officer of Health, North Nyeri and South Nyeri Districts and contained townships with effect from the 1st March, 1941.

RONALD WILLIAM SMITH, A.S.A.A., to be Accountant, Accountant General's Department, with effect from the 11th January, 1941.

MICHAEL NORDON EVANS to be District Officer, Kericho District, Nyanza Province, with effect from the 10th March, 1941.

STEPHEN HENRY CARNELLY to be Acting Resident Magistrate, Nairobi, with effect from the 19th of March, 1941.

### SWAHILI EXAMINATION—3RD MARCH, 1941

#### HIGHER STANDARD

##### Pass

K. M. Cowley, Administration.

J. L. H. Webster, Administration.

##### Pass (Written only)

R. A. Wilkinson, Administration.

R. O. Hennings, Administration.

### PRELIMINARY ORAL SWAHILI EXAMINATION PASS

H. W. Stokes, Education Department.

G. M. RENNIE,  
*Chief Secretary.*

### CORRIGENDUM

Government Notice No. 196 appearing on page 158 of Official Gazette dated March 4, 1941: In the Schedule—

for  $\frac{1}{2}$  acre read  $\frac{1}{4}$  acre

PROCLAMATION NO. 34

### MEETING OF LEGISLATIVE COUNCIL

#### PROCLAMATION

I, Henry Monck-Mason Moore, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony and Protectorate of Kenya, in exercise of the powers vested in me by Instructions under the Royal Sign Manual and Signet dated the 29th day of March, 1934, do hereby direct that a session of Legislative Council be held at the Memorial Hall, Nairobi, on Wednesday the 16th day of April, 1941, at 11 a.m.

Given under my hand at Nairobi this 11th day of March, 1941.

HENRY MOORE,  
*Governor.*

GOD SAVE THE KING

GOVERNMENT NOTICE NO. 250

### THE DEFENCE (FIXING OF WAGES) REGULATIONS, 1940

#### NOTICE

THE Wage Board notifies employers of Asian artisans that stone dressers are not regarded by the Wage Board as masons and such artisans should be described as stone dressers.

Nairobi,  
6th March, 1941.

T. D. M. BARTLEY,  
*Chairman,  
Wage Board.*

GOVERNMENT NOTICE No. 251

THE DEFENCE (FIXING OF WAGES) REGULATIONS, 1940  
ORDER

APPOINTMENTS

IN EXERCISE of the powers conferred upon it by Regulation 5 (1) of the Defence (Fixing of Wages) Regulations, 1940, the Wage Board hereby appoints the persons whose names are set out in the Second Column of the Schedule hereto for the purpose of ascertaining whether the provisions of the above Regulations and of any notice issued under the provisions of the above Regulations are being complied with in the areas set out in the First Column of the said Schedule and hereby empowers any of these persons at all reasonable times, to enter upon any premises in which any industry, trade or business is carried on and to require the owner or occupier thereof to give such information and produce such books, accounts or other documents as may be necessary.

Nairobi,  
This 6th day of March, 1941.

T. D. M. BARTLEY,  
*Chairman,  
Wage Board.*

SCHEDULE

First Column	Second Column
Colony and Protectorate of Kenya Mombasa Municipality	Hon. Isher Dass, M.L.C., Nairobi, c/o The Desai Memorial Hall. Mr. Donald Frederick O'Hara, Labour Officer, Mombasa.

GOVERNMENT NOTICE No. 252

THE JUSTICES OF THE PEACE ORDINANCE  
(Chapter 21 of the Revised Edition)

APPOINTMENT

IN EXERCISE of the powers conferred upon him by section 2 of the Justices of the Peace Ordinance, His Excellency the Governor has been pleased to appoint—

PERCY GARLAND, ESQUIRE

to be a Justice of the Peace for the Eldoret District, Rift Valley Province.

By Command of His Excellency the Governor.

Nairobi,  
This 11th day of March, 1941.

E. R. E. SURRIDGE,  
*for Chief Secretary.*

GOVERNMENT NOTICE No. 253

THE INDIAN LUNATIC ASYLUMS ACT, 1858  
(As applied by Article 11 (b) of the East Africa Order in Council, 1897)

IN EXERCISE of the powers conferred upon the Executive Government by section 2 of the Indian Lunatic Asylums Act, 1858, His Excellency the Governor has been pleased to appoint Mr. Shamsud-Deen as a visitor to Mathari Mental Hospital.

By Command of His Excellency the Governor.

Nairobi,  
This 10th day of March, 1941.

G. M. RENNIE,  
*Chief Secretary.*

GOVERNMENT NOTICE No. 254

THE MINING ORDINANCE, 1940  
NOTICE

IN EXERCISE of the powers conferred upon him by section 7 (j) of the Mining Ordinance, 1940, His Excellency the Governor has been pleased to declare an area of approximately 296 acres situated in the North Kavirondo District of the Nyanza Province of the Colony and which is more particularly described in the Schedule hereto, to be excluded from prospecting and mining with effect from the 4th day of March, 1941. Provided that such exclusion shall not affect any prospecting or mineral rights granted before and existing at such date in respect of such area or any portion thereof.

By Command of His Excellency the Governor.  
Nairobi,

This 4th day of March, 1941.

E. R. E. SURRIDGE,  
*for Chief Secretary.*

SCHEDULE

An area of approximately 296 acres situated in the North Kavirondo District and bounded as follows:—

Commencing at a point situated on a true bearing of approximately 35° 20' and at a distance of approximately 6,720 feet from the trigonometrical beacon Shigulu;

thence bounded by a straight line on a true bearing of approximately 273° 30' and for a distance of approximately 8,600 feet to a point;

thence by a straight line on a true bearing of approximately 3° 30' and for a distance of approximately 1 500 feet to a point;

thence by a straight line on a true bearing of approximately 93° 30' and for a distance of approximately 8,600 feet to a point;

thence by a straight line on a true bearing of approximately 183° 30' and for a distance of approximately 1,500 feet to the point of commencement.

GOVERNMENT NOTICE No. 255

THE KENYA DEFENCE FORCE ORDINANCE, 1937

APPOINTMENT

IN EXERCISE of the powers conferred upon him by section 5 of the Kenya Defence Force Ordinance, 1937, and all other powers thereunto enabling him, His Excellency the Governor has been pleased to commission—

2/LIEUT. C. E. EGLETON

to be a Senior Section Commander (Adjutant) with effect from the 27th day of February, 1941.

Government Notice No. 734 of the 16th day of August, 1940, in so far as it relates to the appointment of J. F. F. Barnes, Esq., is hereby cancelled with effect from the 26th day of February, 1941.

By Command of His Excellency the Governor

Nairobi,  
This 12th day of March, 1941.

E. R. E. SURRIDGE,  
*for Chief Secretary.*

## GOVERNMENT NOTICE No. 256

## KILIFI DISTRICT, COAST PROVINCE

IT IS notified for general information that the Kilifi District, which included the sub-district of Malindi, has been divided into two districts for administrative purposes, with effect from the 1st of January, 1941. The former sub-district of Malindi has now become the District of Malindi with headquarters at Malindi. The remaining part of the district will continue to be administered from Kilifi.

Nairobi, E. R. E. SURRIDGE,  
This 12th day of March, 1941. *for Chief Secretary.*

## GOVERNMENT NOTICE No. 257

## THE SISAL INDUSTRY ORDINANCE, 1939

IT IS hereby notified for public information that the Kenya Sisal Board for the period 1st May, 1941, to the 30th April, 1942, shall consist of the following persons:—

*Chairman—*

THE DIRECTOR OF AGRICULTURE

*Nominated by His Excellency the Governor—*

MR. W. C. HUNTER

*Nominated by the Kenya Sisal Growers' Association—*

MR. S. A. MORTIBOYS

MR. A. E. H. BURSELL

CAPTAIN C. F. CAMPBELL CLAUSE

MR. J. C. EVERARD

Nairobi,  
This 13th day of March, 1941.  
E. R. E. SURRIDGE,  
*for Chief Secretary.*

## GOVERNMENT NOTICE No. 258

## THE LOCAL GOVERNMENT (DISTRICT COUNCILS) ORDINANCE, 1928

IN EXERCISE of the powers conferred upon him by Rule 2 of the District Councils (Filling of Vacancies) Rules, 1929, His Excellency the Governor has been pleased to nominate—

MR. O. C. HARRIES

to fill the vacancy in the Songhor West Ward of the Nyanza District Council.

By Command of His Excellency the Governor.

Nairobi,  
This 11th day of March, 1941.  
E. R. E. SURRIDGE,  
*for Chief Secretary.*

## GOVERNMENT NOTICE No. 259

THE NATIVE REGISTRATION ORDINANCE, 1921  
(Chapter 127 of the Revised Laws of Kenya)

## APPOINTMENT

IN EXERCISE of the powers conferred upon him by section 14 of the Native Registration Ordinance (Chapter 127 of the Revised Edition), His Excellency the Governor has been pleased to appoint, with effect from the 10th day of March, 1941—

WILLIAM WALLACE CARSON BURGESS

to be an officer to issue certificates for the purpose of the said section.

By Command of His Excellency the Governor.

Nairobi,  
Dated this 13th day of March, 1941.  
E. R. E. SURRIDGE,  
*for Chief Secretary.*

## GOVERNMENT NOTICE No. 260

## THE KING'S POLICE MEDAL

IT IS notified for general information that His Majesty the King has been pleased to alter the name of the "King's Police Medal" to "The King's Police and Fire Services Medal" by virtue of a Royal Warrant dated the 20th of August, 1940.

Nairobi, E. R. E. SURRIDGE,  
This 12th day of March, 1941. *for Chief Secretary.*

## GENERAL NOTICE No. 319

## KIKUYU LICENSING COURT

*Ordinance No. LXII of 1934*

NOTICE is hereby given that the next meeting of the Kikuyu Liquor Licensing Court will be held at the Provincial Commissioner's Board Room, Nyeri, on 12th May, 1941, at 10 a.m.

All applications for new licences and confirmation of transfers or provisional licences must reach the office of the District Commissioner, Nyeri, on or before the 25th day of March, 1941, together with Sh. 10 stamp fee on each application.

Every application should be submitted in the form set out in the First Schedule to the Liquor Ordinance (Forms) Rules, 1939 (Government Notice No. 666 of 29th August, 1939).

Nyeri, F. G. JENNINGS,  
11th March, 1941. *Chairman,*  
*Kikuyu Liquor Licensing Court.*

## GENERAL NOTICE No. 320

## THE WATER ORDINANCE, 1929

## NOTICE

KAMITI RIVER, KIAMBU DISTRICT

APPLICATION by Mr. M. G. Kidston of Kahawa for a Water Right from the Kamiti River on L.R. 3741 for 500, 500, 30,500, 3,500, 3,000 and 25,000 gallons per day (of which approximately 27,900 gallons per day will be returned) for the purpose of domestic use, minor irrigation, pulping and washing of coffee, power to operate a hydraulic ram, to cover losses in canal, and general irrigation respectively.

These quantities are in substitution for those marked (a) which were notified in the Official Gazette dated 24-9-40 and the *East African Standard* dated 29-9-40.

Plans may be seen at the Public Works Department Office, Nairobi.

Objections stating specific grounds therefor should be filed in duplicate with the Water Board, P.O. Box 662, Nairobi, within thirty days from the date of publication of this notice and a copy served on the undersigned.

SHAPLEY, SCHWARTZE & BARRET,  
*Applicant or Lawfully Authorized Agent,*  
*P.O. Box 286, Nairobi.*

## GENERAL NOTICE No. 296

MILNER MEMORIAL SCHOLARSHIPS  
KING'S SCHOOL, CANTERBURY

NOTICE is drawn to the fact that various scholarships at the King's School, Canterbury, are being offered for competition in 1941. Of these two are Lord Milner Memorial Scholarships of £100 per annum each.

Entries for these various scholarships close at varying dates between now and May, 1941, so early application is desirable. In the present circumstances applications can only be considered in respect of boys at present in school in England.

Full particulars can be obtained from the Director of Education, P.O. Box 340, Nairobi.

GENERAL NOTICE No. 321

**NYANZA LIQUOR LICENSING COURT**  
(Ordinance No. LXII of 1934)

NOTICE is hereby given that the next meeting of the Nyanza Liquor Licensing Court will be held at the office of the District Commissioner, Kisumu-Londiani, Kisumu, on Monday the 12th May, 1941, at 10 a.m.

All applications for new licences and confirmation of transfers or provisional licences must reach the District Commissioner's Office, P.O. Box 86, Kisumu on or before the 25th March, 1941, together with Sh. 10 stamp fee on each application.

Every application should be submitted in the form set out in the First Schedule to the Liquor Ordinance (Forms) Rules, 1939. (Government Notice No. 666 of 29th August, 1939.)

Kisumu,  
11th March, 1941.

C. G. USHER,  
*Chairman,*  
*Nyanza Liquor Licensing Court.*

GENERAL NOTICE No. 322

**THE MUNICIPAL BOARD OF MOMBASA**  
*In re THE LOCAL GOVERNMENT (RATING) ORDINANCE, 1928*

*As Amended by the Local Government (Rating) (Amendment) Ordinance XVI of 1932*

PURSUANT to the provisions of section 18 of the Local Government (Rating) Ordinance, 1928, I give notice to all persons interested that the Municipal Board of Mombasa has imposed the following rates in respect of the year 1941:—

(1) An original rate of one half of one per centum; and

(2) An additional rate of three-fifths of one per centum upon the unimproved value of land as appearing in the Valuation Roll, making in all one and one-tenth per centum; and further

(3) A rate of three-eighths of one per centum upon the value of improvements as appearing in the Valuation Roll.

The above rates shall become due and payable at the Municipal Offices on the 23rd day of May, 1941.

The Board will allow discount at the rate of 2½ per cent on all rates paid on or before the due date: where payment is made by cheque dated the 23rd May, 1941, or earlier, and the cheque is received not later than the 24th May, 1941, the full discount will be allowed.

Under section 19 (3) of the Ordinance, the Board is empowered to charge and collect interest on arrear assessment rates at a rate not exceeding 1 per centum per month. Such interest will be payable from 1st June, 1941. Assessment rates are a debt to the Municipal Board and although every effort will be made to deliver to those liable demand notes stating the amount due, the failure so to deliver will not be held to absolve the debtor from any disability or penalty attaching to non-payment.

Municipal Offices, Mombasa,  
7th March, 1941.

E. G. TIDY,  
*Town Clerk.*

GENERAL NOTICE No. 323

**PLATEAU LIQUOR LICENSING COURT**  
(Ordinance LXII of 1934)

NOTICE is hereby given that the next meeting of the Plateau Liquor Licensing Court will be held at the office of the District Commissioner, Eldoret, on Monday, 12th May, 1941, at 10 a.m.

All applications for new licences and confirmations of transfers or provisional licences must reach the District Commissioner's Office, Eldoret, before the 25th March, 1941, together with Sh. 10 stamp fee on each application.

K. G. LINDSAY,  
*Chairman,*  
*Plateau Liquor Licensing Court.*

GENERAL NOTICE No. 324

**THE LAND AND AGRICULTURAL BANK**  
(AMENDMENT) ORDINANCES, 1934 AND 1936

NOTICE OF EXTINGUISHMENT OF TEMPORARY ADVANCE  
IN PURSUANCE of the provisions of section 5 of the Land and Agricultural Bank (Amendment) Ordinance, 1934, as amended by Ordinance No. XIV of 1936, notice is hereby given that the temporary advance notified as under has been repaid together with interest thereon:—

*General Notice No.—142.*

*Date.—1st February, 1938.*

*Name.—J. P. le Roux.*

*Amount.—£100.*

*General Notice No.—315.*

*Date.—5th March, 1940.*

*Name.—Hoey, Steyn & Louw.*

*Amount.—£300.*

S. THORNTON,  
*Secretary.*

GENERAL NOTICE No. 325

**THE BANKRUPTCY ORDINANCE**

**FIRST MEETING OF CREDITORS AND PUBLIC EXAMINATION**

*Debtor's name.—Miran Bux s/o Karim Bux.*

*Address.—Nairobi.*

*Description.—Labour Foreman.*

*Court.—H.M. Supreme Court, Nairobi.*

*Number of matter.—2 of 1941.*

*Date of first meeting of creditors.—2nd April, 1941.*

*Hour.—2.15 p.m.*

*Place.—Committee Room No. 54, Law Courts, Nairobi.*

*Date of public examination.—4th April, 1941.*

*Hour.—10.30 a.m.*

*Place.—Law Courts, Nairobi.*

Nairobi,  
13th March, 1941.

H. V. ANDERSON,  
*Deputy Official Receiver.*

GENERAL NOTICE No. 326

**NOTICE**

NOTICE is hereby given that the power of attorney granted by Karnel Singh son of Norang Singh, Contractor of Nairobi in the Colony of Kenya in favour of Amar Singh son of Munshi Ram of Nairobi aforesaid to manage his business of a contractor and generally to look after his affairs in connexion therewith has been revoked as from 1st day of March, 1941, and the said Amar Singh son of Munshi Ram has no authority whatsoever to act for the said Karnel Singh.

Dated at Nairobi this 12th day of March, 1941.

M. L. ANAND,  
*Advocate for the said Karnel Singh,*  
*P.O. Box 853, Nairobi.*

## GENERAL NOTICE No. 196

## IN 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 Kampala to commence on Thursday the 24th day of April, 1941, 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 31st March, 1941.

Nairobi,

8th February, 1941.

E. J. O'FARRELL,

Registrar,

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

## CAUSE LIST

FOR HEARING ON THE 24TH DAY OF APRIL, 1941, AT KAMPALA

Appeal No.	Civil or Criminal	Appellant	Respondent	Original No. of Case	Appeal from
21/41	Criminal	A. J. Simpson	District Council of Nakuru	Cr. A. No. 31/39	H. M. Supreme Court of Kenya at Nairobi
24/41	"	Amnai Baranda	Rex	Cr. Case No. 240/40	H. M. High Court of Tanganyika at Arusha
25/41	"	Fikili s/o Ngongano	Rex	Cr. Conf. Case No. 3/41	H. M. High Court of Tanganyika at Dar es Salaam
26/41	"	Kusho wa Keromo	Rex	Cr. Case No. 1/41	H. M. Supreme Court of Kenya at Fort Hall
27/41	"	Gichichio wa Mugo	Rex	Cr. Case No. 22/41	H. M. Supreme Court of Kenya at Nyeri
28/41	"	Joseph bin Eduard	Rex	Cr. Case No. 304/40	H. M. High Court of Tanganyika at Moshi
29/41	"	Mwingasungura Mseka	Rex	Cr. Conf. Case No. 1/41	H. M. High Court of Tanganyika at Dar es Salaam
30/41	"	Abdullah s/o Kalinga <i>alias</i> Selemani s/o Kalinga	Rex	Cr. Conf. Case No. 2/41	ditto
31/41	"	Lutububa s/o Bizimana	Rex	Cr. Case No. 285/40	H. M. High Court of Tanganyika at Arusha
32/41	"	Apaya s/o Gimisi	Rex	Cr. Case No. 19/41	H. M. Supreme Court of Kenya at Kakamega
33/41	"	Mbogo s/o Kara	Rex	Cr. Case No. 9/41	H. M. Supreme Court of Kenya at Nyeri
11/40	Civil	Jiwan Singh	Rugnath Jeram	C. A. No. 1/40	H. M. Supreme Court of Kenya at Nairobi (Application)
18/40	"	The Merchant Bank of Uganda Ltd.	F. X. Carrasco	Civil Case No. 27/40	H. M. High Court of Uganda at Kampala
1/41	"	H. Boazman & A. H. Gee	The Hon'ble Attorney General of Uganda	Civil Case No. 55/40	ditto
2/41	"	A. A. McMillan Moll	ditto	Misc. Cause No. 17/40	ditto
3/41	"	R. S. Channa	L. C. Schwartzel	Civil Case No. 7/40	H. M. Supreme Court of Kenya at Nakuru
4/41	"	Elias Eustration	Madatally G. Thobani	Civil Case No. 97/40	H. M. High Court of Uganda at Kampala

## GENERAL NOTICE No. 2

SESSIONS of His Majesty's Supreme Court of Kenya will be held on the dates and at the places set out hereunder during the year 1941:—

## SUPREME COURT CRIMINAL SESSIONS AT MOMBASA, 4-3-41

Cr. C. No. 161/40 Rex vs. Kichenjele s/o Ndamungu.  
 Cr. C. No. 163/40 Rex vs. Katana s/o Mugala.  
 Cr. C. No. 169/40 Rex vs. Omar Saleh.  
 Cr. C. No. 6/41 Rex vs. Ogwanga s/o Jaia.  
 Cr. C. No. 29/41 Rex vs. Willson Mapea s/o Yaa.  
 Cr. C. No. 30/41 Rex vs. Willson Mapea s/o Yaa.  
 Cr. C. No. 31/41 Rex vs. Muganda s/o Ngala.  
 Cr. C. No. 32/41 Rex vs. Shomela s/o Mbaji.  
 Cr. C. No. /41 Rex vs. Salatu s/o Adhani.

## SUPREME COURT SESSIONS AT NAIROBI, 7-4-41

Cr. C. No. 17/41 Rex vs. Arthur Killian.

## SUPREME COURT SESSIONS AT NAKURU, 26-5-41

## SUPREME COURT SESSIONS AT NAKURU, 25-8-41

## SUPREME COURT SESSIONS AT NAKURU, 24-11-41

Nairobi,

1st January, 1941.

EDWARD J. O'FARRELL,

Registrar,

Supreme Court of Kenya.



GENERAL NOTICE No. 327

NOTICE

TO ALL WHOM IT MAY CONCERN

TAKE NOTICE that the actions set out in the Schedule hereto stand credited in the books of the Nairobi Law Courts with the respective sums set out against each action.

Any person claiming to be entitled to any sum so credited should apply within three months from the date of publication of this notice to the respective courts for payment out of the same.

Any sum not claimed within the above period will be paid into the General Revenue of the Colony.

EDWARD J. O'FARRELL,

Registrar,  
Supreme Court of Kenya

UNCLAIMED PETTY DEPOSITS

Date	Case No.		Parties	Amount	
				Sh. cts.	Sh. cts.
1937					
Jan. 12	R.M.	5541/36	Dalgety & Co. v. Fort Hall Bar .. .. .	2 00	
14	R.M.	3599/36	Abdulla Rajab v. Mohamed Juma .. .. .	5 00	
18	R.M.	4652/36	Bukhtawar Singh v. J. S. Lamb .. .. .	4 00	
18	Kisumu	6/37	Gero s/o Amibo v. Epon .. .. .	4 00	
27	S.C.	160/36	Official Receiver v. Costa and other .. .. .	21 00	
29	S.C.	174/36	N. L. Duncan v. I. Mackinnon .. .. .	15 00	
					51 00
Feb. 1	S.C.	174/36	Norman Duncan v. I. Mackinnon .. .. .	15 00	
5	S.C.	160/36	Official Receiver v. Costa & Co. .. .. .	16 10	
5	Cr. A.	21/37	S. A. Rashid v. D. P. Shah .. .. .	4 00	
8	R.M.	1834/32	Thakar Dass v. Banta Singh .. .. .	4 00	
13	S.C.	160/36	Official Receiver v. C. N. Costa & Co. .. .. .	23 00	
24	R.M.	110/37	Mohamed Hussein v. Adam Noor Mohamed .. .. .	20 00	
25	Kisumu	83/37	Muzungu v. Otangu .. .. .	4 00	
27	R.M.	5612/36	Kachra Dharamshi v. O. Kalidass .. .. .	5 00	
					91 10
Mar. 3	S.C.	174/36	N. L. Duncan v. I. Mackinnon .. .. .	15 00	
4	S.C.	9/37	Opolo Ohundo v. Mwananisha .. .. .	6 00	
4	R.M.	4427/36	Narain Singh v. Gaman .. .. .	5 00	
5	R.M.	110/37	Mohamed Hussein v. Adam Noor Mohamed .. .. .	5 00	
11	R.M. Cr.	858/37	Rex v. David William Alexander .. .. .	50 00	
13	R.M.	180/37	Nauria Ram & Son v. Gudkha Coffee Co. .. .. .	5 00	
20	R.M.	5239/36	Hasam Jiwa v. Mohamed Kanji .. .. .	22 00	
					108 00
April 1	R.M.	885/37	Shah Bros. v. Paragji .. .. .	2 00	
3	R.M.	180/37	Nauria Ram v. Gudkha Coffee Co. .. .. .	5 00	
7	R.M.	614/37	E.A. Timber Co. v. J. Dwen .. .. .	4 00	
8	R.M. Cr.	1620/37	Crown v. Mtuida .. .. .	35 00	
9	Cr. Ap.		Rex v. Amony Olosi .. .. .	20 00	
12	S.C.	187/36	Thakar Singh v. Santa Singh .. .. .	10 00	
12	Bkey.	26/22	C. F. L. Mapp .. .. .	4 40	
17	R.M.	659/37	Prabhudas P. & Co. v. Nandlal & Co. .. .. .	2 00	
26	R.M.	5805/36	Govind Ladha v. Farmers Engineering Works .. .. .	2 00	
28	S.C.	187/36	Thakar Singh v. Santa Singh .. .. .	5 00	
					89 40
May 7	R.M.	1376/37	U. N. Patel & Son Ltd. v. R. Ranchhod .. .. .	53	
18	N. Nyeri	39/37	Settlers Stores v. Hasham Jiwa & Co. .. .. .	2 00	
18	R.M.	1538/37	Adam Noormohamed v. Mohamed Kanji .. .. .	4 00	
19	D.C.	9/37	Hodgson v. Hodgson .. .. .	2 00	
22	R.M.	381/37	Noor Mohamed v. Adam Noor Mohamed .. .. .	6 00	
26	D.C.	6/37	Atkinson v. Atkinson .. .. .	21 00	
27	R.M.	1635/37	Shah Bros. v. Somchand Nemchand .. .. .	4 00	
27	R.M. Cr.	2427/37	Ram Chand v. Pritam Singh .. .. .	12 00	
28	R.M.	482/36	Shamalji Raghavji v. Count Dunhoff .. .. .	4 00	
28	R.M.	4909/31	Munshi Ram & Co. v. Sultani .. .. .	3 36	
					58 89
June 11	R.M.	1647/37	Kigio wa Mturi v. Roy .. .. .	5 00	
12	N. Nyeri	38/37	Settlers Stores v. Col. Abbay .. .. .	4 00	
19	R.M.	1901/37	Municipal Council v. E. R. Atkinson .. .. .	4 00	
23	Fort Hall	100/37	John Gakibo v. Muttondo .. .. .	4 00	
24	R.M.	1946/37	Thakar Dass v. Ram Singh .. .. .	6 00	
					23 00
July 2	R.M.	2002/37	H. M. Kalla v. M. D. Karmali and another .. .. .	8 00	
19	R.M.	1922/37	B. D. Sharma v. Kharati Ram .. .. .	2 00	
21	Nku. D.R.	15/35	Bombay Trading Co. v. D. A. Thomson .. .. .	17 70	
28	R.M.	3859/36	Batan Singh v. Tara Singh .. .. .	10 00	
30	R.M. Cr.	3481/37	Rex v. Jonathan s/o Chonjo .. .. .	6 40	
					44 10

## UNCLAIMED PETTY DEPOSITS—(Contd.)

Date	Case No.		Parties	Amount	
				Sh.	cts.
1937					
Aug. 5	R.M.	1515/37	Wali Hasham & Co. v. Mohanlal Tulshi & Bros...	2	00
9	R.M.	2448/37	Bradburn Garage v. Atma Ram .. .. .	4	00
9	R.M.	2449/37	Ramji Kanji Tailor v. Shah Popatlal Motichand..	2	00
9	R.M.	2450/37	Dr. R. P. Patel v. L. Dan .. .. .	4	00
13	R.M.	679/37	D. A. Andries v. Jawa Mawji .. .. .	5	00
14	R.M.	1936/37	Gathambi wa Njoki v. Gul Mohamed .. .. .	2	00
16	Kiama C.	365/37	Mutunge v. Kerie Gicheka .. .. .	4	00
18	C.A.	33/37	Basawa Singh v. Lomolo Ltd. .. .. .	2	00
21	R.M. Cr.	2267/37	Rex v. Mungai s/o Regal .. .. .	10	00
31	S.C.	73/37	Bachulal Gathani v. Mary Barker .. .. .	20	00
				55 00	
Sept. 6	S.C.	70/37	Douglas Oliver Brumage v. H. L. Button .. .. .	4	00
7	S.C.	65/37	Jethalal Dharamshi v. Ujagar Singh .. .. .	20	00
8	R.M. Cr.	2267/37	Rex v. Mungai s/o Ragal .. .. .	10	00
20	R.M.	3915/35	Mangat & Maini v. Sunderji Kalyanji .. .. .	2	00
21	Div. C.	7/37	De Souza v. De Souza .. .. .	5	00
24	R.M.	2458/37	Norman G. Mogo v. Keru wa Rithu .. .. .	5	00
24	S.C.C.A.	39/37	Javer Manji v. Chhaganlal Ghelabhai .. .. .	2	00
27	R.M.	3284/37	Mehta & Co. v. Vithalji Hemraj .. .. .	4	00
30	Div. C.	14/37	P. J. Bailey v. J. H. Bailey.. .. .	5	00
				57 00	
Oct. 2	R.M. Cr.	3126/37	Tulshidass Khimji v. Meghji Keshavji .. .. .	4	00
7	R.M.	2310/37	Gopalji G. Pant v. Maganlal Hemraj .. .. .	5	00
8	R.M. Cr.	4930/37	Municipal Council v. Bachulal Gathani .. .. .	10	00
11	Div. C.	19/36	Boyd v. Boyd .. .. .	3	00
13	R.M.	2009/37	Mohamed Din v. Karmali Suleman .. .. .	3	00
15	R.M.	366/37	Banta Singh v. Nika Singh .. .. .	6	00
15	D.C.	16/37	Bailey v. Bailey .. .. .	22	00
27	R.M.	611/37	Henry Kiberu v. Kamau .. .. .	4	00
28	R.M.	2267/37	Gitonge Kano v. Magure .. .. .	5	00
				62 00	
Nov. 1	R.M.	1787/37	Razigulla v. Mohamed Feraj .. .. .	6	00
8	Div. C.	4/30	Abbey v. Abbey .. .. .	4	00
9	R.M.	2372/37	Hassanali Kala Sidi v. Walli Jiwa .. .. .	6	00
10	S.C.	74/37	D. Matheson v. De Luxe Boot Co. .. .. .	10	00
16	R.M. Cr.	3467/37	Hassanali Sajan v. Gulam Hussein .. .. .	10	00
27	R.M.	2162/37	Bakers Cleaners and Laundry v. Bramwell .. .. .	4	00
				40 00	
Dec. 6	R.M.	4194/37	Karman Hira v. Qutub Din .. .. .	2	00
13	Machakos	14/37	Abdulla Jiwa & Co. v. Machakos Tr. Co. .. .. .	2	00
16	R.M.	4038/37	Amar Singh v. Shivabhai .. .. .	20	00
17	Kisumu	32/37	Mrs. Goldsack v. F. R. Mann .. .. .	4	00
23	R.M.	3802/37	Saingilo Sainga v. Elmi .. .. .	20	00
				48 00	
TOTAL FOR 1937 .. .. .				Sh.	727 49

## GENERAL NOTICE No. 328

## NOTICE

To all whom this may concern.

NOTICE is hereby given that the general power of attorney given by the undersigned to Jaffer Vira also of Kisumu in the Colony of Kenya dated the 23rd September, 1931, and registered as No. I P/A 1480/1 on the 17th March, 1937, is hereby cancelled and the undersigned will not be responsible for any dealing or transaction with him under the said power of attorney and that the said Jaffer Vira has no further authority to act in any way on the undersigned's behalf.

Dated at Kisumu this 7th day of March, 1941.

MARCILIA ADELFINA  
D'SOUZA MASCARENHAS.

Witness:—

P. L. Pandya,  
Court Broker, Kisumu.

## GENERAL NOTICE No. 329

## DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between Ram Parkash Kohli and Ranchhodbhai Jivabhai Patel carrying on business at Government Road, Nairobi, under the style or firm of Austins Sports House has been dissolved by mutual consent as from 24th February, 1941, so far as concerns the said Ranchhodbhai Jivabhai Patel who retires from the said firm. All debts due to and owing by the said firm will be received and paid by the said Ram Parkash Kohli who will continue to carry on the said business under the same style or firm of Austins Sports House.

RANCHHODBHAI JIVABHAI PATEL,  
Retiring Partner

RAM PARKASH KOHLI,  
Sole Partner.

Witness:—

M. L. Anand,  
Advocate, Nairobi.



## Part I—General Account

Carried forward ..	1,201,535	3	50
--------------------	-----------	---	----



GENERAL NOTICE No. 331

PROBATE AND ADMINISTRATION

CAUSE No. 6 OF 1941

IN THE MATTER OF MSELLEM BIN KHAMIS EL-KILINDINI,  
DECEASED

To all whom it may concern.

TAKE NOTICE that all persons having any claims against the estate of the above-named Msellem bin Khamis el-Kilindini, deceased, who died at Mombasa on the 23rd day of December, 1940, are required to prove such claims before me the undersigned on or before the 10th day of May, 1941, after which date the claims so proved will be paid and the estate distributed according to law.

Mombasa,  
10th March, 1941.

J. O'B. KELLY,  
*Ex Officio Agent for Public Trustee.*

GENERAL NOTICE No. 332

PROBATE AND ADMINISTRATION

CAUSE No. 21 OF 1941

IN THE MATTER OF MOHAMED BIN HEMED MKAUMA,  
DECEASED

To all whom it may concern.

TAKE NOTICE that all persons having any claims against the estate of the above-named Mohamed bin Hemed Mkauma, deceased, who died at Mombasa on the 26th day of February, 1941, are required to prove such claims before me the undersigned on or before the 7th day of May, 1941, after which date the claims so proved will be paid and the estate distributed according to law.

Mombasa,  
7th March, 1941.

J. O'B. KELLY,  
*Ex Officio Agent for Public Trustee.*

GENERAL NOTICE No. 333

NOTICE

UNDER THE MEDICAL PRACTITIONERS AND DENTISTS  
ORDINANCE, 1919

(Cap. 119, Revised Edition)

THE undermentioned has been registered in accordance with the terms of the Medical Practitioners and Dentists Ordinance (Cap. 119 of the Revised Edition):—

Bell, Stanley, M.B., B.S. (U. DURHAM), 1939

A. R. PATERSON,  
*Registrar.*

GENERAL NOTICE No. 334

THE LAND AND AGRICULTURAL BANK  
(AMENDMENT) ORDINANCES, 1934 AND 1936

NOTICE OF EXTINGUISHMENT OF TEMPORARY ADVANCE

IN PURSUANCE of the provisions of section 5 of the Land and Agricultural Bank (Amendment) Ordinance, 1934, as amended by Ordinance No. XIV of 1936, notice is hereby given that the temporary advance notified as under has been repaid together with interest thereon:—

General Notice No.—187.

Date.—15th February, 1938.

Names.—Davies, J. J., N. J., J. H., and T.

Amount.—£260.

S. THORNTON,  
*Secretary.*

GENERAL NOTICE No. 335

IN HIS MAJESTY'S SUPREME COURT OF KENYA  
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No. 28 OF 1941

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF  
WILHELM GEORG HOEPER, LATE OF KIAMBU IN THE  
COLONY OF KENYA, DECEASED

TAKE NOTICE that application having been made in this Court by Maria Florian of Kiambu aforesaid, the executrix named in the will of the deceased, for probate of the will of Wilhelm Georg Hoeper, late of Kiambu aforesaid who died there on the 13th day of February, 1941, 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 1st day of April, 1941.

Dated at Nairobi this 11th day of March, 1941.

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. 336

THE TRADE MARKS ORDINANCE, 1930

APPLICATION No. 2680

**SUNPAK**

TAKE NOTICE that an application for the registration of the trade mark shown above in Class 42 in respect of lime juice cordial, orange squash, lemon squash, grape fruit squash, passion fruit squash, lemon barley water, tangerine orange squash, pickles, sauces, tomato, ketchup and tomato juice has been lodged by John J. Ker, sole proprietor of The Kenya Sunshine Products, whose address for service in the Colony is P.O. Box 786, 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.

Nairobi, H. V. ANDERSON,  
14th March, 1941. *for Registrar of Trade Marks.*

GENERAL NOTICE No. 337

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between Walli Jiwa, Musa Noormohamed, Ebrahim Ravji and Noormohamed Vasanji, carrying on business in Milner Road, Nairobi under the style or name of Kenya Cordial Product Company, has been dissolved by mutual consent as from the 11th March, 1941, so far as concerns the said Walli Jiwa who has retired from the said partnership as from the said date.

All debts due to and owing by the said firm will be received and paid by the said Musa Noormohamed, Ebrahim Ravji and Noormohamed Vasanji, who will continue to carry on the said business under the style or name of Kenya Cordial Product Company.

Dated the 14th day of March, 1941.

WALLI JIWA,  
*Retiring Partner*  
MUSA NOORMOHAMED,  
EBRAHIM RAVJI,  
NOORMOHAMED VASANJI,  
*Continuing Partners.*

## GENERAL NOTICE No. 338

**THE TRANSPORT LICENSING ORDINANCE, 1937  
AND  
THE VEHICLES LICENSING REGULATIONS, 1938  
APPLICATIONS AND DECISIONS  
No. 136**

18TH MARCH, 1941

**APPLICATIONS**—THE Licensing Authority is not responsible for the contents of applications; its responsibility is confined to seeing that the notices in this publication agree with the applications received.

These published notices will be the only notice which will be given of these applications. This notice as printed will be in accordance with the particulars supplied by the applicants. The original applications, which in some cases give fuller details, can be inspected at the office of the Licensing Authority, c/o the Attorney General's Office, Nairobi, between the hours of 8.30 a.m. and 4 p.m. from Monday to Friday and between the hours of 8.30 a.m. and 12 noon on Saturday.

Any person who wishes to object to the grant of any of the licences applied for must submit his objection, on the prescribed form, so as to reach the Licensing Authority not later than fourteen days from the date hereof. A copy of every such objection must be sent by the objector to the applicant at the same time as it is sent to the Licensing Authority. The Licensing Authority may at its discretion consider objections, notwithstanding that they may not have been received within the prescribed period, but it is particularly requested that, so far as possible, all objections shall be made within the prescribed period.

Copies of the prescribed form of objection may be obtained from the Licensing Authority, P. O. Box 112, Nairobi, the Central Revenue Office, P. O. Box 520, or from the District Commissioner, Eldoret, Isiolo, Kericho, Kisii, Kisumu, Kitale, Lamu, Machakos, Mombasa, Nakuru, Nyeri, Rumuruti.

**NOTICE OF APPLICATIONS RECEIVED**

**"B" LICENCES**

- TLB. 283—Bukhet bin Abed, P.O. Box 416, Mombasa. Vehicle No. A 2994 (2 tons). Carriage of goods, whether in connexion with his own business or for hire or reward, between Mombasa and the Kilifi District, and on Mombasa Island.
- TLB. 944—Asembo Trading Co., Ltd., Asembo Bay. Vehicles Nos. E 1567 and E 1640 (3 tons each). Carriage of goods, whether in connexion with their own business or for hire or reward, within No. 2 Area and to Kakamega.
- TLB. 1916—Inder Singh Bukan Singh & Co., P.O. Kisii. Vehicle No. E 1661. Carriage of goods, whether in connexion with their own business or for hire or reward, between Kisii-Lumbwa via Kericho; Kisii-Kisumu; Kisii-Lolgorien, and within the South Kavirondo District.
- TLB. 2612—Hassanali Mohamed Nathoo, Emali. Vehicles Nos. T 5468 (2½ tons) and T 4839 (½ ton). Carriage of goods, whether in connexion with his own business or for hire or reward, between the Machakos and Kajiado Districts. Rates: From 40 cents to Sh. 1 per ton mile.
- TLB. 2630—Abubakar bin Hassan, Garissa. Vehicle No. T 7727 (2½ tons). Carriage of goods, whether in connexion with his own business or for hire or reward, between Garissa-Lamu-Mombasa; Isiolo-Meru-Nanyuki-Northern Frontier District.

**ROAD SERVICE LICENCES**

- TLB. 450/B—Ahamed Yakub & Sons, Meru. Vehicle No. T 8860. Carriage of 20 passengers, and their personal effects, between Nairobi, Meru and Isiolo. Rates: 5 cents per mile per passenger.
- TLB. 2642—Edward Lindley, Kambui, P.O. Kiambu. Vehicle No. T 5959. Carriage of 20 passengers, and their personal effects, between Kambui and Nairobi. Rates: Sh. 1 single.
- TLB. 2643—Kalwant Singh, c/o P.O. Box 18, Kisumu. Two new vehicles (30 passengers each). Carriage of passengers and their personal effects, between Nairobi and Kisumu. Rates: Sh. 8 single.

**VARIATION OF ROAD SERVICE LICENCES**

- TLB. 68—Sohan Singh Dhinlon, c/o Sardar Singh, Cycle Merchant, River Road, Nairobi. Licence No. RSL. 17/41 for vehicles Nos. T 8765 and T 8197 (26 passengers each) to carry passengers and their personal effects between Nairobi and Nakuru, to be varied by the addition of routes within a radius of 25 miles of Nakuru, and by the substitution of vehicle No. T 9640 (29 passengers) for vehicle No. T 8197.
- TLB. 243—Mrs. A. G. Fernandes, Eldoret. Licence No. RSL. 48/41 to carry passengers, their personal effects, mails and perishable goods, between Eldoret-Kisumu; Eldoret-Kitale; Eldoret-Kakamega; to be varied by the substitution of vehicle No. J 841 (25 passengers) for vehicle No. E 1294 (10 passengers).

## GENERAL NOTICE No. 339

**THE WATER ORDINANCE, 1929**

**NOTICE**

**OLABONAITA RIVER, NAKURU DISTRICT**

**APPLICATION** by J. W. Eames of Nakuru for a Water Right from Olabonaita River on L.R. No. 470/3 for 9,500 and 146,000 gallons per day (of which 146,000 gallons per day will be returned) for the purpose of domestic use and for power to operate a hydraulic ram respectively.

A pre-existing Water Permit authorized the diversion of 4,000 gallons per day for domestic use.

Plans may be seen at the Public Works Department, Nairobi, and at the office of the Nakuru District Council, Nakuru.

Objections stating specific grounds therefor should be filed in duplicate with the Water Board, P.O. Box 662, Nairobi, within thirty days from the date of publication of this notice, and a copy served on the undersigned.

J. W. EAMES,

*Applicant or Lawfully Authorized Agent,  
Ol Bonata, P.O. Nakuru.*

## GENERAL NOTICE No. 340

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

**PROBATE AND ADMINISTRATION**

CAUSE No. 26 OF 1941

**NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF  
JAN MOHAMED SON OF BUDHE KHAN, LATE OF  
NAIROBI, DECEASED**

**TAKE NOTICE** that application having been made in this Court by Tafail Mohamed son of Budhe Khan of Nairobi in the Colony of Kenya, the executor named in the will of the deceased, for probate of the will of Jan Mohamed son of Budhe Khan late of Nairobi in the Colony of Kenya who died at Nairobi on the 12th day of February, 1941, 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 25th day of March, 1941.

Dated at Nairobi this 8th day of March, 1941.

EDWARD J. O'FARRELL,

*Registrar,*

*Supreme Court of Kenya.*

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