



THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

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GOVERNMENT NOTICE No. 356

APPOINTMENTS

JAMES HARVEY DALEY, Assistant Superintendent of Prisons, Grade I, to be Acting Superintendent of Prisons, Mombasa, with effect from the 27th March, 1945.

JOHN HENRY SIDNEY TODD to be Acting Deputy Registrar, and Acting District Registrar, Supreme Court of Kenya at Mombasa with effect from the 4th April, 1945, in addition to his substantive duty as Acting Resident Magistrate, Mombasa.

PHILIP FORSTER FOSTER to be Municipal Native Affairs Officer, Mombasa, with effect from the 1st April, 1945.

JOHN KINGSMILL ROBERT THORP to be District Commissioner, Machakos District, Central Province, with effect from the 29th March, 1945.

RICHARD OWEN HENNINGS to be District Commissioner, Laikipia-Samburu District, Rift Valley Province and Northern Frontier District, with effect from the 22nd March, 1945.

HUBERT EASTON JACKSON, Clerk, Grade I, to be Acting Accountant, Accountant General's Department, with effect from the 1st January, 1944.

GERALD LEWIS KRAUSS, Clerk, Grade II, to be Acting Accountant, Accountant General's Department, with effect from the 13th of September, 1944.

REVERSION

HUBERT EASTON JACKSON reverted to his substantive post of Clerk, Grade I, with effect from the 1st of June, 1944.

E. R. E. SURRIDGE,
Acting Chief Secretary.

CORRIGENDUM

Government Notice No. 340 appearing on page 146 of Official Gazette dated April 10, 1945:

Delete the words "to represent the Chamber of Commerce" appearing after the name of E. R. S. Wollen, Esq., in the first column.

GOVERNMENT NOTICE No. 357

LAW EXAMINATION

THE following officers have passed the Law Examination held on the 29th, 30th and 31st January, 1945:—

J. P. B. Derrick (with distinction), Administration.
J. W. Howard, Administration.
R. S. Winsor, Administration.
A. F. Holford-Walker, Administration.

E. R. E. SURRIDGE,
Nairobi, 12th April, 1945. Acting Chief Secretary.

GOVERNMENT NOTICE No. 358

(Adm. 7/8/2)

LAW EXAMINATION

THE NEXT law examination for Administrative Officers will be held in July, 1945, on a date to be announced later, provided a sufficient number of entries are received. The names of candidates should be forwarded, through their Heads of Departments, to reach the Registrar, Supreme Court, Law Courts Building, Nairobi, on or before the 31st May, 1945.

E. R. E. SURRIDGE,
Nairobi, 11th April, 1945. Acting Chief Secretary.

GOVERNMENT NOTICE No. 359

VICTORIA NYANZA FISH PROTECTION RULES

SEINE NETS ORDER

IN EXERCISE of the powers conferred upon me by Rule 16 of the Victoria Nyanza Fish Protection Rules, 1940, I hereby prohibit the use of Seine nets for catching fish during the period 15th April, 1945, to 30th June, 1945, inclusive, within the area to which the said Rules have been applied.

Kisumu,
7th April, 1945.

K. L. HUNTER,
Provincial Commissioner, Nyanza.

GOVERNMENT NOTICE No. 360

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

K. W. SIMMONDS,
Acting Clerk to the Legislative Council.

A Bill to Provide for the Advancement and Control of the Pig Industry

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 and date of commencement.

1. This Ordinance may be cited as the Pig Industry Ordinance, 1945, and shall come into operation, either wholly or in part, on such date or dates as the Governor may, by notice in the Gazette, appoint, and different dates may be appointed for different provisions of this Ordinance. 5

Interpretation.

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

“bacon factory” means any building, structure or other place where pigs’ carcasses are dressed and cured for the manufacture of pig-meat, bacon or any other pig product, for sale or export;

“Board” means the Pig Industry Board established by section 3 10 of this Ordinance;

“butcher” means a person who slaughters pigs for sale, but shall not include any native residing in a native area who slaughters pigs produced in such native area for consumption in such native area or in a gazetted native area; 15

“export” means export from the Colony to a place outside the limits of the Colony, the Protectorate of Uganda or the Tanganyika Territory;

“Fund” means the Pig Industry Fund established by section 19 of this Ordinance; 20

“gazetted native area” means a native area, or part thereof, in which the Governor has by notice in the Gazette authorized the natives residing in a native area specified in the notice to sell pigs for consumption;

“native area” includes native lands, native reserves, temporary 25 native reserves and native leasehold areas as defined in section 3 of the Native Lands Trust Ordinance, 1938, and native settlement areas as established by section 57B of the Crown Lands Ordinance;

“pig producer” means any person who breeds or feeds pigs for sale; 30

“prescribed” means prescribed by rules made under this Ordinance;

“licensed pig producer” means a pig producer licensed under the provisions of section 11 of this Ordinance;

“to sell” includes to make an agreement or contract to sell; 35

“the Cess” means the cess provided for by the Resolution passed by the Legislative Council on the 18th day of June, 1941.

Establishment and constitution of the Board.

3. (1) There shall be established a Board, to be known as “the Pig Industry Board”, which shall consist of—

(a) the Director of Veterinary Services or, in his absence, an 40 officer to be nominated by him;

(b) two members to be appointed by the Governor;

(c) two members to be appointed by the Governor to represent the interests of native pig producers, of whom at least one shall be an officer in the public service of the Colony; 45

(d) six members to be elected in the manner prescribed, by a majority of the licensed pig producers present at meetings called by the Board in the second half of each calendar year after the passing of this Ordinance for the purpose of electing one member in each of the following six areas— 50

(i) the five electoral areas of Aberdare, Trans Nzoia, Uasin Gishu, Rift Valley and Nyanza, as described in Part A of Schedule I of the Legislative Council Ordinance, 1935;

(ii) an area to be known as the Kiambu-Ukamba area, which shall comprise the electoral areas of Kiambu, Ukamba, 55 Nairobi North, Nairobi South and Coast, as described in Part A of Schedule I of the Legislative Council Ordinance, 1935:

No. 28 of 1938.
Cap. 140.

No. 26 of 1935.

No. 26 of 1935.

Provided that in the first instance the members referred to in this paragraph shall be appointed by the Governor, and shall hold office until the first meetings are held under the provisions of this paragraph, and shall at such meetings be eligible for election in the manner prescribed.

(2) The Board shall elect by name a chairman and vice-chairman annually.

(3) The members of the Board referred to in paragraphs (b) and (c) of sub-section (1) of this section shall hold office for a period of two years, and may be re-appointed by the Governor.

(4) The following provisions shall apply in respect of the members of the Board referred to in paragraph (d) of sub-section (1) of this section:—

(a) One-third shall retire annually, and shall be eligible for re-election;

(b) the order of retirement shall be by rotation:

Provided that in the case of members whose last appointment to the Board was on the same date, the order of their retirement shall be determined by the Board by ballot.

(5) If the chairman of the Board is incapacitated by illness, absence or other sufficient cause from performing the duties of his office, the vice-chairman shall act in his place; and if both the chairman of the Board and the vice-chairman are so incapacitated the Board shall appoint a member of the Board to act as chairman, and such member shall have all the powers and authority of the chairman of the Board until either the chairman of the Board or the vice-chairman resumes the duties of his office.

(6) If any member of the Board is incapacitated by illness, absence or other sufficient cause from performing the duties of his office—

(a) the Governor, in the case of a member appointed under paragraphs (b) or (c) of sub-section (1) of this section,

(b) the Board, in the case of a member elected under paragraph (d) of sub-section (1) of this section,

may appoint some fit person to be a deputy to act for that member, and such deputy shall have all the powers and authority of the member for whom he is so acting.

(7) Where any member of the Board elected under the provisions of paragraph (d) of sub-section (1) of this section is absent from three consecutive meetings of the Board without the leave of the chairman, his appointment shall be regarded as having terminated, and the Board may appoint any licensed pig producer carrying on business within the area for which he was elected to act in his place until a new member is elected under the provisions of the said paragraph.

4. (1) The Board shall be a body corporate having perpetual succession and a common seal, and may in their corporate name sue and be sued, and may purchase, hold, manage and dispose of land and other property for the purposes of this Ordinance.

Board to be a corporate body

(2) The Board may raise or borrow such sums of money for the purposes of this Ordinance as they may in their discretion think fit, and may secure the repayment of or raise any such sums by mortgage or charge upon the whole or any part of the property of the Board.

5. (1) The Board shall meet not less than once in every six months.

Meetings of the Board.

(2) At every meeting of the Board five members shall form a quorum.

(3) In the absence of the chairman and vice-chairman from any meeting of the Board a chairman for such meeting shall be chosen by the members present.

(4) The chairman of the meeting shall have a deliberative vote, and in the case of equality of votes shall also have a casting vote. A decision of the majority of members present and voting at the meeting shall be deemed to be the decision of the Board.

(5) The chairman of the Board may, in his discretion, at any time convene a special meeting of the Board, and shall, upon receipt of a written request signed by not less than three members of the Board, convene a special meeting of the Board within one month of the date of such written request.

(6) Subject to the provisions of this section, the Board may, with the approval of the Governor, make Standing Orders for the regulation of the conduct of business and the procedure at their meetings.

6. At the end of every year the Board shall prepare a report of their operations during the year, and such report shall be published as

Annual report.

soon as possible in such manner as the Governor may direct; and copies of such report shall be circulated to all licensed pig producers not less than two weeks prior to every meeting referred to in paragraph (d) of sub-section (1) of section 3 of this Ordinance.

Liability of members of the Board.

7. No member of the Board shall be personally liable for any act or default of the Board done or omitted to be done in good faith and without negligence in the course of the operations of the Board. 5

Appointment of officers and servants.

8. The Board may appoint and employ, on such terms and conditions as they may from time to time determine, such officers and servants as they may deem necessary for the proper and efficient administration of the Board, and may appoint agents to carry out any of the duties imposed upon them by this Ordinance on such terms and conditions as they may from time to time determine. 10

Restrictions on purchase, sale and export of pigs.

9. From and after the commencement of this Ordinance—

(a) no person shall sell or supply pigs, whether for consumption in the form of pig-meat or for the purpose of being manufactured into bacon or any other pig product, to any person other than the Board; 15

(b) no person shall purchase pigs, whether for consumption in the form of pig-meat or for the purpose of being manufactured into bacon or any other pig product, from any person other than the Board; 20

(c) subject to the provisions of section 10 of this Ordinance, no person other than the Board shall export pigs, pig-meat, bacon or any other pig product: 25

Provided that paragraphs (a) and (b) of this section shall not apply to any native residing in a native area who does not sell pigs except for consumption in such native area or in a gazetted native area.

Power of Board to export pigs.

10. The Board, or any person who, being the licensee of a bacon factory under the provisions of this Ordinance, is authorized in writing by the Board in that behalf, may export pigs, pig-meat, bacon or any other pig product: 30

Provided that where the Board authorizes any person under the provisions of this section the Board may attach to such authorization such terms and conditions as they may think fit. 35

Licensing of pig producers.

11. (1) Every person carrying on business as a pig producer, other than a native residing in a native area who does not sell pigs except for consumption in such native area or in a gazetted native area, shall, within one month after the commencement of this Ordinance, or within one month after becoming a pig producer, apply to the Board for a licence in the manner prescribed, and every application shall contain such particulars as may be prescribed. 40

(2) Upon receipt of an application for a licence under this section the Board shall have power either to grant the licence or to refuse the application. 45

(3) Every licence issued under this section shall be in the prescribed form and shall expire on the 31st day of December next following the date of issue, but shall be renewable annually, and the powers of the Board under sub-section (2) of this section shall apply to an application for the renewal of a licence as they apply to an application for the grant of a licence: 50

Provided that every application for the renewal of a licence shall be submitted to the Board on or before the 1st day of October in the year in which such licence expires. 55

(4) Upon the issue of every licence under this section, and upon every renewal thereof, a fee of two shillings and fifty cents shall be payable to the Board.

(5) Where the Board refuses an application for a licence under this section, or refuses an application for the renewal thereof, the Board shall notify the applicant in writing, and in the case of the refusal of an application for the renewal of a licence such notification shall be sent to the applicant not less than sixty days before the date upon which the licence expires, and the applicant may, within thirty days after the date of such notification, appeal to the Governor in the manner prescribed, and the Governor shall determine whether such application should be granted or refused. 60

(6) Any determination by the Governor under the provisions of sub-section (5) of this section shall be final and conclusive, and shall not be liable to appeal or to be questioned by any proceedings in any court. 65

Registration of native pig producers.

12. (1) Every native pig producer shall, within one month after the commencement of this Ordinance, or within one month after becoming a pig producer, apply for registration in the manner pre- 70

scribed to the District Commissioner of the district in which he resides, and such District Commissioner shall cause his name and address to be entered in a register, with such other particulars as may be prescribed, and thereupon such native shall become a registered native pig producer.

(2) Every registered native pig producer shall, once in every year during which he carries on business as a pig producer, apply in the manner prescribed to the District Commissioner of the district in which he resides for a renewal of his registration, and such District Commissioner shall thereupon renew his registration in the manner prescribed.

(3) Upon the registration of any native pig producer and upon the renewal of any such registration, the District Commissioner shall furnish to the Board such particulars as may be prescribed.

15 13. The Board shall not purchase pigs from any person in the Colony who is not a licensed pig producer.

Board not to purchase pigs from unlicensed pig producers.

14. Subject to the provisions of section 15 of this Ordinance, the Board shall purchase all pigs which are offered to it for sale by any licensed pig producer, on terms which may be fixed by the Board from time to time.

Board to purchase all pigs offered by licensed pig producers.

15. (1) The Board may, by order, fix a quota of pigs which may be supplied to the Board by any licensed pig producer during any period specified in the order.

Power to fix quota by order.

(2) Every order made under the provisions of this section shall be sent, by registered post, to every licensed pig producer to whom such order relates.

(3) Any licensed pig producer who is aggrieved by any order made under the provisions of this section may, within the prescribed time and in the prescribed manner, appeal to the Governor who may make such order as he thinks fit, and any such order shall be final and conclusive, and shall not be liable to appeal or to be questioned by any proceedings in any court.

(4) No order made under the provisions of this section shall come into operation until such time, after the date thereof, as may be prescribed.

16. (1) No person shall carry on the business of a bacon factory except on premises in respect of which he holds a current licence issued under the provisions of this section.

Licensing of bacon factories.

(2) Application for a licence under the provisions of this section shall be made to the Board in the manner prescribed, and in such application the applicant shall state his full name and fully describe the premises for which the licence is required, and give such other particulars as may be prescribed.

(3) Upon receipt of an application for a licence under this section the Board shall have power either to grant the licence or to refuse the application:

Provided that no application shall be refused in respect of any premises where the business of a bacon factory was being carried on at the date of the coming into operation of this Ordinance.

(4) Every licence issued under this section shall be in the prescribed form and shall be signed by the chairman of the Board, and shall contain such terms and conditions, including the maximum number of pigs which may be cured during the period covered by the licence, as the Board may think fit.

(5) Every licence issued under this section shall expire on the 31st day of December next following the date of issue, but shall be renewable annually, and the power of the Board under sub-sections (3) and (4) of this section shall apply to an application for the renewal of a licence as they apply to an application for the grant of a licence:

Provided that every application for the renewal of a licence shall be made to the Board on or before the 1st day of October in the year in which the licence expires:

Provided further that the proviso to sub-section (3) of this section shall not apply in the case of an application for renewal.

(6) Upon the issue of every licence under this section, and upon every renewal thereof, a fee of two hundred shillings shall be payable to the Board.

(7) Where the Board refuses an application for a licence under this section, or refuses an application for the renewal thereof, the Board shall notify the applicant in writing, and in the case of the

refusal of an application for the renewal of a licence such notification shall be sent to the applicant not less than sixty days before the date upon which the licence expires, and the applicant may, within thirty days after the date of such notification, appeal to the Governor in the manner prescribed, and the Governor shall determine whether such application should be granted or refused. 5

(8) Any determination by the Governor under the provisions of sub-section (7) of this section shall be final and conclusive and shall not be liable to appeal or to be questioned by any proceedings in any court. 10

Board may order closure of redundant bacon factories.

17. (1) If the Board at any time considers that any bacon factory in the Colony is redundant, they may, not less than six months prior to the expiry of the current licence of such bacon factory, serve upon the licensee thereof written notice of their intention to issue an order prohibiting the manufacture or curing thereof of pig-meat, bacon or any other pig product, and upon the expiration of the period of such notice the Board shall have power to issue such order. 15

(2) Where the Board issues an order under the provisions of sub-section (1) of this section, such compensation shall be payable by the Board to the owner of the bacon factory in respect of which the order is issued as may be mutually agreed between such owner and the Board, or, in the absence of agreement, as may be fixed by arbitration. 20

(3) Any licensee of a bacon factory upon whom a written notice has been served under the provisions of sub-section (1) of this section, may within thirty days of such service appeal to the Governor in the manner prescribed, and the Governor's decision shall be final and conclusive, and shall not be liable to appeal or to be questioned by any proceedings in any court. 25

Inspection of bacon factories.

18. (1) The Board may, either generally or in any particular case, authorize any person to inspect pigs, pig-meat, bacon or any other pig product at a bacon factory, and to grade the same in accordance with the prescribed standards of quality, and such person shall be paid by the Board such fees as may be prescribed. 30

(2) For the purpose of facilitating the inspection and grading of pigs, pig-meat, bacon or any other pig product at a bacon factory, the Board may, by notice in writing addressed to the licensee of such bacon factory, specify the days of the week on which pigs shall be slaughtered, and if pigs are slaughtered on days other than the days specified in the notice the licensee of such bacon factory shall be guilty of an offence. 35 40

Pig Industry Fund.

19. (1) There shall be established a fund, to be known as "the Pig Industry Fund", which shall consist of all moneys derived from—

- (a) contributions levied under the Cess, which have not been expended at the date of the coming into operation of this Ordinance; 45
- (b) contributions levied under any special cess that may be imposed under the provisions of section 25 of this Ordinance;
- (c) licence fees payable under the provisions of section 11 of this Ordinance; 50
- (d) licence fees payable under the provisions of section 16 of this Ordinance;
- (e) the sale or export by the Board of pigs, pig-meat, bacon and any other pig product;
- (f) dividends accruing from any ordinary shares of the Uplands Bacon Factory (Kenya), Limited, which are held by the Board; 55
- (g) any other source of which the Governor in Council may approve.

(2) The Board shall apply the moneys in the Fund to all or any of the following purposes:— 60

- (a) experiment, investigation and research in connexion with the pig industry;
- (b) the cost of advertising the merits of Kenya pigs, pig-meat, bacon and other pig products and increasing the sales thereof by extending existing markets and exploiting new markets, and any matters incidental thereto; 65
- (c) the costs of curing, transporting, marketing and insuring pigs, pig-meat, bacon and other pig products, and of performing any other duties imposed upon it by this Ordinance; 70
- (d) payments to licensed pig producers for pigs supplied;
- (e) the payment of travelling and out of pocket expenses to individual members of the Board at rates to be approved by the Governor;

- (f) the employment of agents and of staff, and the purchase of such equipment as the Board may consider necessary for the purpose of carrying out its functions under this Ordinance;
- (g) the purchase, erection and operation of bacon factories;
- 5 (h) the establishment of pig-breeding centres for the distribution of approved breeding stock to licensed pig producers, and the purchase of equipment and facilities ancillary thereto;
- (i) compensation payable under the provisions of sub-section (2) of section 17 of this Ordinance;
- 10 (j) the investment in such securities as the Board may think fit;
- (k) the establishment of a reserve fund;
- (l) with the approval of the Governor in Council, any other purpose which, in the opinion of the Board, is calculated to promote the welfare of the pig industry.
- 15 20. The accounts of the Fund, and of any reserve fund, shall be audited not less than once in every year by an auditor to be approved by the Governor, and, as soon as may be after the close of each financial year, and after audit, a copy thereof shall be forwarded to every licensed pig producer. Audit of accounts.
- 20 21. (1) Every licensee of a bacon factory and every butcher shall keep such annual records, in a form to be approved by the Board, as will clearly show the number of pigs slaughtered on each day of the year in his bacon factory or butchery, as the case may be; and every such record shall be preserved with due care until the expiration of a period of 18 months from the end of the year in respect of which such record was made. Records of bacon factories and of butcheries selling pork.
- (2) Any person who falsifies any record which is required to be kept under the provisions of this section, or who makes any entry therein which is false or incorrect in any material particular, or any person who neglects to make any entry which by this section he is required to make or who destroys any entry so made, shall be guilty of an offence.
22. (1) Any person authorized in writing by the Board in that behalf is hereby empowered— Powers of entry and examination of records.
- 35 (a) to require any licensee of a bacon factory, or any butcher or any retailer of pig-meat, bacon or any other pig product to furnish verbally or in writing and in such form as may be required, any information in relation to his business;
- 40 (b) to examine any books, records, accounts or other documents relating to such business, and may require a copy of any such book, record, account or other document to be deposited at the office of the Board for examination;
- 45 (c) to enter and inspect any premises which are being used as a bacon factory or butchery, or for retailing pig-meat, bacon or any other pig product.
- (2) Any person who obstructs any person authorized under the provisions of this section to enter and inspect any premises or to examine any books, records, accounts or other documents, or any person who refuses or delays or fails to produce any such book, record, account or other document or any copy thereof, or who refuses to furnish any information or furnishes false information upon demand being made by a person authorized under the provisions of this section, shall be guilty of an offence.
23. The Board shall have power— Powers of Board to appoint management committees, officers and servants, to operate bacon factories.
- 55 (a) to appoint a management committee to operate any bacon factory which is held by the Board;
- (b) to appoint and employ, on such terms and conditions as they may from time to time determine, such officers and servants as they may deem necessary for the proper and efficient operation of any bacon factory which is held by the Board.
- 60 24. The Board may, by resolution, delegate any of the powers conferred upon it by this Ordinance to any member, officer or servant of the Board. Delegation of powers.
25. (1) The Governor in Council may, on the recommendation of the Board, by notice published in the Gazette, impose a special cess on all pigs supplied to the Board of such amount as may be specified in the notice. Special cess.
- 65 (2) Any special cess shall be levied in the manner prescribed, and all amounts derived therefrom shall be paid into the Fund.
- 70 26. Any person who is guilty of an offence against this Ordinance, or who contravenes or fails to comply with any of the provisions of this Ordinance, or who fails to comply with any term or Penalties.

condition of any licence issued under sections 11 or 16 of this Ordinance shall, on conviction before a magistrate of the first or second class, be liable for a first offence to a fine not exceeding one hundred pounds or to imprisonment for six months, or to both such fine and such imprisonment, and for a second or subsequent offence to a fine not exceeding five hundred pounds or to imprisonment for twelve months, or to both such fine and such imprisonment.

Power to make Rules.

27. The Board may, with the approval of the Governor in Council, make rules for the regulation and control of the pig industry, and without prejudice to the generality of the foregoing, for all or any of the following matters:—

- (a) prescribing the manner of electing the members of the Board referred to in paragraph (d) of sub-section (1) of section 3 of this Ordinance;
- (b) prescribing the manner of applying for licences under sections 11 and 16 of this Ordinance, and the particulars which shall be given in such applications;
- (c) prescribing the time within which appeals to the Governor under sub-section (3) of section 15 of this Ordinance shall be made;
- (d) prescribing the manner in which appeals to the Governor under sections 11, 15, 16 and 17 of this Ordinance shall be made;
- (e) prescribing the time within which orders made under section 15 of this Ordinance may come into operation after the date thereof;
- (f) prescribing the manner in which native pig producers shall apply for registration under section 12 of this Ordinance, and the particulars to be entered in the register;
- (g) prescribing the manner in which native pig producers shall apply for renewal of registration and the manner in which such registration shall be renewed;
- (h) prescribing the particulars which the District Commissioner shall furnish to the Board upon the registration of a native pig producer and upon the renewal of such registration;
- (i) prescribing the forms of licences issued under sections 11 and 16 of this Ordinance;
- (j) prescribing the standards of quality according to which pigs, pig-meat, bacon and other pig products shall be graded;
- (k) prescribing the fees to be paid to inspectors of bacon factories for grading pigs, pig-meat, bacon or other pig products;
- (l) controlling, regulating or prohibiting the breeding or keeping of pigs by licensed pig producers;
- (m) regulating the feeding and housing of pigs by licensed pig producers;
- (n) providing for the submission of returns by licensed pig producers relating to the breeding, keeping or feeding of pigs;
- (o) controlling, regulating or prohibiting the importation of breeding stock;
- (p) prescribing the conditions subject to which bacon factories may be erected and operated;
- (q) controlling and regulating the manufacture and curing by licensed bacon factories of pig-meat, bacon and other pig products for sale or export;
- (r) prescribing the procedure for the levying of any special cess that may be imposed under the provisions of section 25 of this Ordinance;
- (s) generally for the better carrying out of the provisions of this Ordinance.

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to control the pig industry with a view to setting up a central organization for marketing, improving the standard of pig products and the general advancement of the pig industry.

Clause 3 seeks to establish the Pig Industry Board, consisting of ten members, of whom six will be elected by licensed pig producers at annual meetings called in the second half of every year. By Clause 4 the Board will be a corporate body with power to purchase, hold, manage and dispose of land and other property, and with power to borrow money on the security of its property.

Clause 9 seeks to give the Board the sole right to sell and purchase pigs for consumption purposes, and the sole right to export pigs, pig-meat or any other pig product. By the proviso to this clause a

native residing in a native area who only sells pigs for consumption in his own native area or in any other native area in which he may be authorized to sell by notice in the Gazette is exempted from the restrictions imposed by paragraphs (a) and (b) of this clause.

Clause 11 makes provision for the licensing of pig producers. Power is given to the Board either to grant or refuse the issue of a licence, and in the case of refusal the applicant is given a right to appeal to the Governor.

Clause 12 makes provision for the annual registration of native pig producers with the District Commissioner of the district in which they reside, who is required to forward the particulars of such registration to the Board.

By Clauses 13 and 14 the Board is precluded from purchasing pigs from any person who is not a licensed pig producer, and, subject to clause 15, is required to purchase all pigs offered to it for sale by any licensed pig producer on terms which may be fixed by the Board.

Clause 15 seeks to empower the Board by order to limit the number of pigs which may be supplied by any pig producer over a specified period. In order to give a pig producer time to revise his programme, the order is not to come into operation until such time, after its date, as may be prescribed by Rules, and provision is made for a right of appeal against the order to the Governor.

Clause 16 makes provision for the licensing of bacon factories. As in clause 11, power is given to the Board to grant or refuse the issue of a licence, and in the case of refusal provision is made for an appeal to the Governor. The only exception to the Board's right to refuse a licence under this clause is in the case of a bacon factory which is in operation when the Ordinance comes into force. In such a case the Board cannot refuse a licence in the first instance, though it can refuse to grant a renewal when the licence has expired.

Clause 17 seeks to empower the Board, subject to the right of appeal to the Governor, to close down a bacon factory which they consider to be redundant. In order to exercise their power under this section they must serve a written notice on the licensee of the bacon factory, not less than six months prior to the expiry of his current licence, of their intention to issue an order closing down the factory. Where an order is made under this clause compensation will be payable by the Board to the owner of the bacon factory.

Clause 19 seeks to establish the Pig Industry Fund. Sub-clause (1) sets out the moneys from which it will be derived, and sub-clause (2) sets out the purposes for which it may be applied.

Clause 25 seeks to empower the Governor in Council, on the recommendation of the Board, to impose a special cess, which will be independent of the existing cess, on pigs supplied to the Board.

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

Nairobi, 7th April, 1945.

T. A. BROWN,
Acting Attorney General

GOVERNMENT NOTICE NO. 361

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

K. W. SIMMONDS,
Acting Clerk to the Legislative Council.

A Bill to Provide for the Constitution of the Uplands Bacon Factory (Kenya), Limited

WHEREAS on the 1st day of July, 1941, the Uplands Bacon Factory (hereinafter referred to as the Factory) with the land, fixed assets and goodwill appertaining thereto, and the stocks of consumable and saleable stores, was purchased by the Government from the British Colonial Provision Company, Limited:

AND WHEREAS an overdraft to the board of management of the Factory with the Standard Bank of South Africa, Limited, was guaranteed by the Government to a limit of £25,000:

AND WHEREAS on the 18th day of June, 1941, it was resolved by the Legislative Council of the Colony that a cess be levied on all pigs dealt with by the Pig Control of such amount as might be fixed by order of the Governor in Council from time to time, and that such cess should be applied in reduction of the said overdraft and to such other purposes as the Governor in Council might direct:

AND WHEREAS an amount of approximately £30,000 has been collected under the said cess:

AND WHEREAS it is considered equitable to give to each pig producer who has contributed to the said cess a limited individual interest in the Factory while placing the ultimate control and ownership thereof in the hands of the Pig Industry Board, and it has been proposed, on behalf of such pig producers, that a limited liability company be formed with a capital of £40,000 divided into 39,950 redeemable preference shares of twenty shillings each and 1,000 ordinary shares of one shilling each, in which the Factory with the land, fixed assets and goodwill appertaining thereto, and the stocks of consumable and saleable stores and existing capital thereof, subject to and with the benefit of all outstanding engagements should be vested, and that the pig producers who have contributed to the said cess should be given a financial interest in such company in the form of redeemable preference shares and that all ordinary shares of such company should be issued to the Pig Industry Board:

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
and date of com-
mencement.

1. This Ordinance may be cited as the Uplands Bacon Factory (Kenya), Limited (Constitution), Ordinance, 1945, and shall come into operation on such date as the Governor may, by notice in the Gazette, appoint.

Interpretation.

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

“cess” means the cess provided for by a resolution passed by the Legislative Council of the Colony on the 18th day of June, 1941;

“company” means the Uplands Bacon Factory (Kenya), Limited, created by the provisions of section 3 of this Ordinance;

“factory” means the Uplands Bacon Factory;

No. of 1945.

“Pig Industry Board” means the Pig Industry Board established by section 3 of the Pig Industry Ordinance, 1945.

Company
incorporated,
memorandum
and articles of
association
and first
shareholders of
the company.

No. 28 of 1933.

3. (1) Upon the coming into operation of this Ordinance there shall be deemed to come into existence and thenceforth to exist as a public company limited by shares incorporated under the Companies Ordinance, 1933, a company having as its name the Uplands Bacon Factory (Kenya), Limited.

No. 28 of 1933.

(2) Notwithstanding anything contained in the Companies Ordinance, 1933, the company shall have as its memorandum and articles of association such memorandum and articles of association as may, from time to time, be approved by the Governor, and such memorandum and articles of association may, notwithstanding anything to the contrary contained in the Companies Ordinance, 1933, be modified from time to time by special resolution of the Company in such manner and to such extent as the Governor may then approve.

(3) On or before the coming into operation of this Ordinance the Financial Secretary shall cause to be delivered to the Registrar of Companies the original memorandum and articles of association of the company, as approved by the Governor, and as soon thereafter as is practicable the Registrar of Companies shall issue a certificate of incorporation of the company under the Companies Ordinance, 1933. No. 28 of 1933.

(4) Notwithstanding anything contained in the Companies Ordinance, 1933, the subscribers to the memorandum of the company shall be such persons as may be nominated by the Pig Industry Board, and any person so nominated shall not be required to take any share in the company in order to qualify him to be a subscriber to such memorandum. No. 28 of 1933.

(5) The first shareholders of the company shall be the Pig Industry Board to which all the ordinary shares shall be allotted, and the pig producers who have contributed to the cess to whom preference shares shall be allotted in accordance with the provisions of the Schedule to this Ordinance, and such preference shares shall be in the form set out in the said Schedule.

(6) Notwithstanding anything to the contrary contained in the Companies Ordinance, 1933, no payment or other consideration whatsoever shall be required from any shareholder to whom any preference shares or ordinary shares of the company are allotted under subsection (5) of this section, but all such shares shall nevertheless be credited as fully paid. No. 28 of 1933.

(7) Sections 29 and 95 and paragraph (d) of section 167 of the Companies Ordinance, 1933, shall not apply to the Company. No. 28 of 1933.

(8) Notwithstanding anything to the contrary contained in the Stamp Ordinance no stamp duty shall be payable in respect of the original or any increased capital of the Company. Cap. 57.

4. Whenever any doubt shall arise as to the person to whom any preference share in the company shall be given in pursuance of the provisions of the Schedule to this Ordinance, it shall be lawful for the secretary or other proper officer of the company to allot and issue such preference share to the Pig Industry Board, and thereupon the Pig Industry Board shall hold the same upon trust for such person and for such estate and interest as may thereafter be determined by any court or otherwise, and such secretary or other proper officer shall supply to the Pig Industry Board and every claimant of such share all information in his possession which is likely to determine or aid in the determination of the true ownership of such share. If and when the true ownership of such share shall thereafter be determined, it shall be lawful for the Pig Industry Board to transfer such share to the person who shall be determined the true owner thereof, and the company shall forthwith give effect to such transfer notwithstanding any restrictions as to the rights of transfer of such share contained in the articles of association of the company or otherwise. Trusteeship of unascertained rights.

5. No person shall be entitled to enforce against any shareholder in the company any agreement by such shareholder to vote at any general meeting of the company as any person may direct, any rule of law or equity to the contrary notwithstanding. Agreements regarding voting at general meeting of company not enforceable.

6. Saving as herein otherwise provided, the company shall be subject to all the provisions of the Companies Ordinance, 1933, and all statutory modifications thereof. Application of the Companies Ordinance. No. 28 of 1933.

7. Upon the coming into operation of this Ordinance all the undertaking, business, goodwill, assets, property real and personal, effects, choses in action, claims, demands, rights and privileges then belonging to the factory or used for the purposes thereof shall be and the same are hereby vested in the company and shall and may be held, possessed, enjoyed, used, exercised, executed and enforced by the company in the same manner and to the same extent as they could or might have been by the board of management of the factory if this Ordinance had not been passed, notwithstanding that any of such property, effects, choses in action, claims, demands, rights or privileges were by virtue of any law or agreement or otherwise non-assignable or non-transferable without the consent of any person or at all. Vesting of assets in company.

8. Upon the coming into operation of this Ordinance the company shall forthwith become and be liable for all the liabilities and obligations of the board of management of the factory and any person who at such date had any charge, chose in action, claim, demand or right whatsoever against the board of management of the factory or any of the property appertaining to the factory shall be entitled to enforce the same against the company and such property in the same manner and to the same extent as such person could or All liabilities assumed.

Voting by
Pig Industry
Board.

No. 28 of 1933.

might have enforced the same against the board of management of the factory and such property if this Ordinance had not been passed.

9. The Pig Industry Board or its duly appointed representative, shall be entitled to vote at any general meeting of the company in respect of any shares held by the Pig Industry Board in its own right, but not in respect of any preference shares held by them under the provisions of section 4 of this Ordinance. Any resolution passed by the Pig Industry Board while holding in its own right all the ordinary shares of the company in respect of any matter touching the affairs of the company on which no other shareholder has for the time being any right to vote, shall, notwithstanding anything to the contrary contained in the Companies Ordinance, 1933, or the articles of association of the Company be as valid and effectual for all purposes as if it was a special extraordinary or ordinary resolution of the company (as the case may require) duly passed at a general meeting of the company duly convened and held.

SCHEDULE

(Section 3 (5))

1. Every pig producer who has contributed to the cess shall be allotted one redeemable preference share for every twenty shillings contributed by him to the cess up to the date of the coming into operation of this Ordinance.

2. When the amount contributed to the cess by any pig producer is not a multiple of twenty shillings, such pig producer shall elect whether he will receive or pay the difference required to bring such amount to a multiple of twenty shillings.

3. Redeemable preference shares allotted under the provisions of this Ordinance shall be in the following form:—

THE UPLANDS BACON FACTORY (KENYA), LIMITED *Redeemable Preference Share Certificate*

No Amount

THIS IS TO CERTIFY that of has contributed Sh. to the Cess, and that he is the registered holder of Redeemable Preference Shares to the value of Sh. 20 each of the above Company, subject to the Memorandum and Articles of Association of the Company.

Given under the seal of the Uplands Bacon Factory (Kenya), Limited, this day of, 19....

No transfer of the above shares will be registered without the production of this certificate.

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to establish a limited liability company in which the concern known as the Uplands Bacon Factory will be vested, and to give to all pig producers who have contributed to the cess a financial interest in such company in the form of redeemable preference shares of twenty shillings each. One preference share shall be allotted for every twenty shillings contributed by a pig producer to the cess.

2. The control of the company will be in the hands of the Pig Industry Board as follows:—

- (a) By sub-clause (4) of clause 3 of the Bill the subscribers to the memorandum of the company will be nominated by the Pig Industry Board and no share qualification for such subscribers shall be necessary;
- (b) by the articles of association no preference shareholder will have the right to vote at any general meeting unless the preferential dividend remains unpaid for six months or unless a resolution is proposed affecting the rights of preference shareholders;
- (c) by the articles of association the directors of the company will be appointed by the Pig Industry Board;
- (d) by sub-clause (5) of clause 3 the Pig Industry Board will hold all the ordinary shares in the company, for which no payment or other consideration will be required. The Pig Industry Board will hold its ordinary shares, and any dividend which may accrue on such shares, in trust to be used exclusively for the benefit of the Pig Industry.

3. By sub-clause (2) of clause 3 the memorandum and articles of association must be approved by the Governor, and any modification thereof must be approved by the Governor.

4. The object of clause 4 is to provide for cases where there is a doubt as to the person to whom any preference shares should be allotted. This clause enables the shares to be allotted to the Pig Industry Board which will hold the shares in trust until such time as the doubt has been resolved.

5. The only ordinary shareholder in the company will be the Pig Industry Board. As by the articles of association no preference shareholder will have a right to vote at a general meeting and as the only person having such right will be the Pig Industry Board, clause 9 provides that any resolution of the Pig Industry Board shall be as valid and effectual as a resolution of the company passed at a general meeting.

Nairobi, 7th April, 1945.

T. A. BROWN,
Acting Attorney General.

GOVERNMENT NOTICE No. 362

THE COMPANIES ORDINANCE, 1933

COMPANY LIMITED BY SHARES

MEMORANDUM OF ASSOCIATION

OF

THE UPLANDS BACON FACTORY (KENYA), LIMITED

1. The name of the Company is "THE UPLANDS BACON FACTORY (KENYA), LIMITED".

2. The registered office of the Company will be situate in the Colony of Kenya.

3. The objects for which the Company is established are:

(a) To acquire and take over as a going concern, pursuant to the provisions of The Uplands Bacon Factory (Kenya), Limited (Constitution), Ordinance, 1945, the business now carried on by the Government of the Colony and Protectorate of Kenya at Uplands in the Colony of Kenya under the style of "Uplands Bacon Factory" together with all the assets, property, debts, liabilities and engagements of such business.

(b) To purchase, sell, breed, improve, prepare and deal in pigs of all kinds and to manufacture, produce, manipulate, purify, prepare for market, purchase, sell, export and deal in pork, bacon, ham, sausages, brawn and all other foodstuffs commodities or products in anywise directly or indirectly connected with or derived from pigs; and to act as agents for the marketing and disposal in the most profitable manner, of pigs and pig products; and to undertake and carry through any operations which in the opinion of the Company will tend to the development of the pig industry in the Colony of Kenya or elsewhere and the utilization of the products thereof.

(c) To grow and cultivate any and every sort of crop or produce of the soil and generally undertake all kinds of farming activities which can in any way be combined or associated with pigs and pig products: to carry on business as pasturers, graziers, manufacturers of extract of meat, preservers and packers of provisions of all kinds, chemists, tanners and artificial manure makers.

(d) To purchase, take on lease or in exchange, hire or otherwise acquire and hold for any estate or interest, any lands, easements, rights, patents, plant, stock-in-trade and any other movable or immovable property of any kind necessary or convenient for the Company's business.

(e) To acquire, erect, build, construct, work, maintain, alter, enlarge, pull down and remove or replace any buildings, abattoirs, freezing houses, ware-

houses, factories, mills, sheds, offices, works, roads, machinery, engines, walls, bomas, banks, dams, irrigation trenches, flumes, sluices or water-courses necessary or expedient for the purposes of the Company, to clear sites for the same, and to join with any person, firm or company in doing any of the things aforesaid, and to work, manage and control the same or to join with others in so doing.

- (f) To carry on any other business (whether manufacturing or otherwise) and conduct or encourage any research which may seem to the Company capable of being conveniently carried on or conducted or encouraged in connexion with any of the above specified businesses, or calculated directly or indirectly to enhance the value of or render profitable any of the Company's property or rights or to benefit the pig industry as a whole or to assist towards utilization of the products thereof.
- (g) To acquire and undertake the whole or any part of the business, property and liabilities of any person or company carrying on any business which the Company is authorized to carry on, or possessed of property suitable for the purposes of the Company.
- (h) To apply for, purchase or otherwise acquire any patents, brevets d'invention, licences, concessions and the like conferring any exclusive or non-exclusive or limited right to use, or any secret or other information as to any invention which may seem capable of being used for any of the purposes of the Company, or the acquisition of which may seem calculated directly or indirectly to benefit the Company, and to use, exercise, develop or grant licences in respect of or otherwise turn to account the property, rights or information so acquired.
- (i) To enter into partnership or into any arrangements for sharing profits, union of interests, co-operation, joint adventure, reciprocal concession or otherwise, with any person or company carrying on or engaged in or about to carry on or engage in, any business or transaction which this Company is authorized to carry on or engage in, or any business or transaction capable of being conducted so as directly or indirectly to benefit this Company.
- (j) To take or otherwise acquire and hold shares in any other company having objects altogether or in part similar to those of this Company, or carrying on any business capable of being conducted so as directly or indirectly to benefit this Company.
- (k) To guarantee the payment of money unsecured or secured by or payable under or in respect of promissory notes, bonds, debentures, debenture stock, contracts, mortgages, charges, obligations, instruments and securities of any company, or of any authority, supreme, municipal, local or otherwise, or of any person whomsoever, whether incorporated or not incorporated and generally to guarantee or become sureties for the performance of any contracts or obligations.
- (l) To enter into any arrangements with any Governments or authorities, supreme, municipal, local or otherwise, that may seem conducive to the Company's objects or any of them, and to obtain from any such government or authority, any rights, privileges, and concessions which the Company may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- (m) To establish and support or aid in the establishment and support of associations, institutions, funds, trusts and conveniences calculated to benefit employees or ex-employees of the Company, or the dependents or connexions of such persons, and to grant pensions and allowances, and to make payments towards insurance, and to subscribe or guarantee money for charitable or benevolent objects, or for any exhibition, or for any public, general or useful object.
- (n) To promote any company or companies for the purpose of acquiring all or any of the property, rights and liabilities of this Company, or for any other purpose which may seem directly or indirectly calculated to benefit or assist towards achievement of the objects of this Company.
- (o) To invest and deal with the moneys of the Company not immediately required in such manner as may from time to time be determined.
- (p) To borrow or raise or secure the payment of money in such manner as the Company shall think fit, and in particular by the issue of debentures or debenture stock, perpetual or otherwise, charged upon all or any of the Company's property (both present and future) including its uncalled capital, and to purchase, redeem or pay off any such securities.
- (q) To amalgamate with any other company having objects altogether or in part similar to those of the Company.
- (r) To remunerate any person or company for services rendered or to be rendered, in placing or assisting to place or guaranteeing the placing of

any of the shares in the Company's capital, or any debentures, debenture stock or other securities of the Company, or in or about the formation or promotion of the Company or the conduct of its business.

- (s) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable or transferable instruments.
- (t) To sell or dispose of the undertaking of the Company or any part thereof for such consideration as the Company may think fit, and in particular for shares, debentures or securities of any other company having objects altogether or in part similar to those of this Company.
- (u) To obtain any provisional Order, Ordinance or Act of Parliament for enabling the Company to carry any of its objects into effect, or for effecting any modification of the Company's constitution, or for any other purpose which may seem expedient, and to oppose any proceedings or applications which may seem calculated, directly or indirectly, to prejudice the Company's objects or interests.
- (v) To sell, improve, manage, develop, exchange, lease, mortgage, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Company.
- (w) To procure the Company to be registered, incorporated or otherwise constituted if necessary or advisable according to the law of the United Kingdom or any Colony or Dependency thereof or any foreign country.
- (x) To distribute any of the property of the Company among the members in specie.
- (y) To do all or any of the above things in any part of the world and as principals, agents, contractors, trustees or otherwise, and by or through trustees, agents or otherwise, and either alone or in conjunction with others.
- (z) To do all such other things as are incidental or conducive to the attainment of the above objects.

The objects set forth in any sub-clause of this clause shall not, except when the context expressly so requires, be in anywise limited or restricted by reference to or inference from the terms of any other sub-clause or by the name of the Company. None of such sub-clauses, or the objects therein specified, or the powers thereby conferred shall be deemed subsidiary or auxiliary merely to the objects mentioned in the first sub-clause of this clause, but the Company shall have full power to exercise all or any of the powers conferred by any part of this clause in any part of the world, and notwithstanding that the business, undertaking, property or acts proposed to be transacted, acquired, dealt with or performed do not fall within the objects of the first sub-clause of this clause.

4. The liability of the members is limited.

5. The share capital of the Company is Shillings 800,000 divided into 39,950 Redeemable Preference Shares of Shillings 20 each and 1,000 Ordinary Shares of one shilling each. The Company has power from time to time to increase or reduce its capital and to divide the shares in the original or increased capital into several classes and to attach thereto respectively any preferential or deferred, qualified or special rights, privileges or conditions.

WE, the several persons whose names, addresses and descriptions are subscribed, are desirous of being formed into a Company in pursuance of this Memorandum of Association.

Names, Addresses and Descriptions of Subscribers.

Dated the day of 1945.

WITNESS to the above signatures.

GOVERNMENT NOTICE No. 363

THE COMPANIES ORDINANCE, 1933
COMPANY LIMITED BY SHARES
ARTICLES OF ASSOCIATION
OF
THE UPLANDS BACON FACTORY (KENYA), LIMITED
PRELIMINARY

1. The Company is formed pursuant to the provisions of The Uplands Bacon Factory (Kenya), Limited (Constitution), Ordinance, 1945, and every member of the Company, present and future, shall be deemed to have notice of the provisions of the said Ordinance.

2. The Regulations contained in Table A in the First Schedule to the Companies Ordinance, 1933 (such Table being hereinafter called Table A) shall apply to the Company save insofar as they are excluded or modified hereby in which case the following shall be the regulations of the Company in lieu of the corresponding Articles in Table A.

3. The Company shall be entitled to treat the person whose name appears upon the Register of Members in respect of any shares as the absolute owner thereof, and shall not be under any obligation to recognize any trust or equity or equitable claim to or partial interest in such shares, whether or not it shall have express or other notice thereof.

SHARE CAPITAL AND SHARES

4. The original share capital of the Company is Shillings 800,000 divided into 39,950 Redeemable Preference Shares of Shillings 20 each and 1,000 Ordinary Shares of one shilling each, and the provisions following in regard thereto shall have effect, that is to say:—

- (a) The holders of such Preference Shares shall be entitled to a fixed cumulative preferential dividend at the rate of 5 per cent per annum on the nominal capital thereof;
- (b) In the event of the Company being wound up the holders of such Preference Shares shall be entitled to have the surplus assets applied in the first place in repaying to them the amount paid up on the Preference Shares held by them respectively and any arrears of dividend up to the commencement of the winding up whether declared or not, but shall not be entitled to any further participation in such surplus assets.
- (c) Subject to the provisions of section 47 of the Companies Ordinance, 1933, the Company may redeem all or any Preference Shares at its option at any time by paying to the registered holders the par value thereof plus any arrears of dividend thereon then remaining unpaid;

Provided that, except in any case where Preference Shares are redeemed pursuant to Article 7 (b) hereof, the following provisions shall have effect:

- (i) The Company shall give to the registered holders of all such Preference Shares three months' notice in writing of its intention to redeem all or any of the Preference Shares;
- (ii) No Preference Share, the registered holder of which is a licensed pig producer, shall be redeemed until all Preference Shares held by persons who are not licensed pig producers shall have been redeemed;
- (iii) If any such notice shall apply to a portion only of the Preference Shares the particular Preference Shares to be redeemed shall be determined by drawings which the Company shall cause to be made at its registered office in the presence of a Notary Public not less than 21 days before the date on which the shares are to be redeemed, and forthwith after each such drawing notice will be given by post to the registered holders of the shares which have been drawn for redemption.

5. The shares to be allotted pursuant to the Uplands Bacon Factory (Kenya), Limited (Constitution), Ordinance, 1945, shall be duly issued by the Directors, but no further shares, whether Preference or Ordinary, shall be issued without the sanction of an Extraordinary Resolution of the Preference shareholders passed at a separate General Meeting of such shareholders.

6. The lien conferred by Clause 7 of Table A shall attach to fully paid shares and to all shares registered in the name of any person indebted or under liability to the Company, whether he shall be the sole registered holder thereof or shall be one of two or more joint holders.

TRANSFER OF SHARES

7. The right of members to transfer their shares shall be restricted as follows, namely:—

- (a) Save as provided by sub-clauses (e) and (f) hereof no share shall be transferred to a person who is not a licensed pig producer so long as any licensed pig producer is willing to purchase the same at par value (which expression throughout this Article means in the case of any Preference Share the nominal value thereof plus the amount of any arrears of dividend thereon for the time being unpaid);
- (b) Except where the transfer is made pursuant to sub-clause (e) or sub-clause (f) hereof a person proposing to transfer any share (hereinafter called "the Proposing Transferor") shall give notice in writing (hereinafter called a "Transfer Notice") to the Company that he desires to transfer the same, and such notice shall constitute the Company his agent for the sale of the share to any licensed pig producer at the par value thereof or in the case of Preference Shares shall entitle the Company at its option forthwith to redeem the same at the par value. A Transfer Notice may include several shares and in such case shall operate as if it were a separate notice in respect of each. A Transfer Notice shall not be revocable except with the sanction of the Directors.
- (c) If the Company shall within the space of 60 days after being served with a Transfer Notice either find a licensed pig producer willing to purchase the share or (in the case of Preference Shares) elect to redeem the same and shall give notice thereof to the Proposing Transferor he shall be bound upon payment of the par value either to transfer the share to the purchaser or to deliver the same to the Company for cancellation as the case may be;
- (d) If in any case the Proposing Transferor after having become bound to transfer the share as aforesaid makes default in transferring the share the Company may receive the purchase money and shall thereupon cause the name of the purchaser to be entered in the Register as the holder of the share and shall hold the purchase money in trust for the Proposing Transferor. The receipt of the Company for the purchase money shall be a good discharge to the purchaser and after his name has been entered in the Register in purported exercise of the aforesaid power the validity of the proceedings shall not be questioned by any person;
- (e) If the Company shall not within the space of 60 days after being served with a Transfer Notice find a licensed pig producer willing to purchase the share or (in the case of Preference Shares) elect to redeem the same and give notice in the manner aforesaid the Proposing Transferor shall at any time within three months afterwards be at liberty subject to sub-clause (g) to sell and transfer the share (or where there are more than one those not placed) to any person and at any price;
- (f) Any Preference Share may be transferred by a member to any child or more remote issue, son-in-law, daughter-in-law, father, mother, brother, sister, nephew, niece, wife or husband of such member, and any Preference Share of a deceased member may be transferred by his executors or administrators to any child or other issue, son-in-law, daughter-in-law, father, mother, brother, sister, nephew, niece, widow or widower of such deceased member by virtue of the will or intestacy of such deceased member and Preference Shares standing in the name of the Trustees of the Will of any deceased member may be transferred upon any change of Trustees to the Trustees for the time being of such Will and the provisions of sub-clause (a) and (g) hereof shall not apply to any transfer authorized by this clause.
- (g) The Directors may refuse to register any transfer of a share (a) where the Company has a lien on the share or (b) where the Directors are not of opinion that it is desirable to admit the proposed transferee to membership.

MODIFICATION OF RIGHTS

8. The rights attached to any class of shares in the capital of the Company (unless otherwise provided by the terms of issue of the shares of that class) may, subject to the provisions of section 62 of the Companies Ordinance, 1933, be modified, abrogated or varied with the sanction of an Extraordinary Resolution passed at a separate General Meeting of the holders of the shares of the class.

BORROWING POWERS

9. The Directors may raise or borrow such sum or sums of money for the purposes of the Company's business as they may in their absolute discretion think fit, and may secure the repayment of or raise any such sum or sums as aforesaid by mortgage or charge upon the whole or any part of the assets and property of the Company (present or future) including its uncalled or unissued capital, or by the issue at such price as they may think fit of bonds or debentures either charged upon the whole or any part of the assets and property of the Company or not so charged or in such other way as the Directors may think expedient. Clause 69 of Table A shall not apply to the Company.

10. A register of the holders of the Debentures of the Company shall be kept at the registered office of the Company and shall be open to the inspection of the registered holders of such Debentures and of any member of the Company subject to such restrictions as the Company in General Meeting may from time to time impose. The Directors may close such register for such period or periods as they think fit not exceeding in the aggregate thirty days in each year.

GENERAL MEETINGS

11. A General Meeting of the Company shall be held once at least in each calendar year at such time and place as the Directors may appoint. In default of a general meeting being so held a general meeting may be convened by any two members in the same manner as nearly as possible as that in which general meetings are to be convened by the Directors. The aforesaid General Meetings shall be called "Ordinary General Meetings": all other General Meetings shall be called "Extraordinary General Meetings".

12. Subject to the provisions of Section 117 (2) of the Companies Ordinance, 1933, relating to Special Resolutions fourteen days' notice at least (exclusive of the day on which the notice is served or deemed to be served but inclusive of the day for which notice is given) specifying the place, the day and the hour of meeting, and in case of special business, the general nature of that business shall be given to such persons as are, under the regulations of the Company, entitled to receive such notices from the Company, but with the consent of all the members entitled to receive notice of some particular meeting that meeting may be convened by such shorter notice and in such manner as those members may think fit. The accidental omission to give notice of a meeting to, or the non-receipt of a notice of a meeting by any member shall not invalidate the proceedings at any meeting.

13. No business shall be transacted at any General Meeting except the declaration of a dividend or the adjournment of the meeting unless a quorum of members is present at the time the meeting proceeds to business, and such quorum shall consist of not less than two members present in person or by proxy.

14. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting, if called on the requisition of the members, shall be dissolved, but in any other case it shall stand adjourned to the same day in the next week, at the same time and place, or to such other day, time and place as the Directors may by notice to the shareholders appoint. If at such adjourned meeting a quorum is not present, any two members who are personally present shall be a quorum and may transact the business for which the meeting was called.

VOTES OF MEMBERS

15. Every member present, either personally or by proxy, shall have one vote for every share held by him upon which there are no calls in arrear PROVIDED that the holders of Preference Shares shall have no right to receive notice of or to be present or to vote either in person or by proxy at any General Meeting by virtue or in respect of their holding of Preference Shares unless the preferential dividend shall remain unpaid for six months after any annual general meeting or unless a resolution is proposed affecting the rights or privileges of the holders of Preference Shares.

16. No member shall be entitled to vote at any General Meeting in respect of any shares upon which there are calls in arrear, and no member shall be entitled to vote in respect of any shares that he has acquired by transfer at any meeting held after the expiration of three months from the incorporation of the Company unless he has been registered as a holder of the shares in respect of which he claims to vote before the closing of the transfer books of the Company previously to the time of holding the meeting at which he proposes to vote, and Clause 57 of Table A shall be modified accordingly.

17. Articles 12 to 16 (inclusive) hereof shall apply *mutatis mutandis* to separate general meetings of any class of shareholders, except that the quorum for any such meetings shall be two persons at least holding or representing by proxy one-tenth of all issued shares of that class, and that all shareholders of that class shall be entitled to receive notice of and attend and vote at such separate general meetings and no shareholder exclusively of any other class shall be so entitled.

DIRECTORS

18. The number of Directors shall not be less than three nor more than seven.

19. The first Directors of the Company shall be appointed by the Pig Industry Board.

20. A Director shall not require any share qualification.

21. The quorum of Directors for transacting business shall be three.

22. A resolution in writing signed by all the Directors then in the Colony and Protectorate of Kenya shall be as valid and effectual as if it had been passed at a meeting of Directors duly called and constituted.

23. The office of a Director shall be vacated—

- (a) if he become bankrupt or insolvent or compound with his creditors;
- (b) if he become of unsound mind or be found a lunatic;
- (c) if he be convicted of an indictable offence (not being an offence under the Motor Traffic Ordinance);
- (d) if he become prohibited from being a Director by reason of any Order made under section 213 or 269 of the Companies Ordinance, 1933;
- (e) if he absent himself from the meetings of Directors for a period of six consecutive calendar months without special leave of absence from the other Directors;
- (f) if he give the Secretary notice in writing that he resigns his office,

But any act done in good faith by a Director whose office is vacated as aforesaid shall be valid unless prior to the doing of such act written notice shall have been served upon the Company or an entry shall have been made in the Directors' Minute Book stating that such Director has ceased to be a Director of the Company.

24. The Directors shall be paid out of the funds of the Company by way of remuneration for their services such sum (if any) as the Company in General Meeting may from time to time determine, and such remuneration shall be divided among them in such proportion and manner as the Directors may determine and in default of such determination within the year equally. The Directors shall also be paid all reasonable travelling and hotel expenses incurred by them in connexion with attending and returning from Board Meetings.

25. If any Director being willing, shall be called upon to perform extra services or to make special exertions in going or residing abroad or otherwise for any of the purposes of the Company, the Company may remunerate such Director as may be determined by the Directors, and such remuneration may be either in addition to or in substitution for his share in the remuneration above provided, and may also refund to such Director all reasonable expenses incurred by him whilst on the Company's business.

26. A Director may hold any office of profit under the Company (other than that of Auditor) in conjunction with the office of Director, and may enter into contracts or arrangements or have dealings with the Company and shall not be disqualified from office thereby, nor shall he be liable to account to the Company for any profit arising out of any such contract, arrangement or dealing to which he is a party or in which he is interested by reason of his being at the same time a Director of the Company, provided that such Director discloses to the meeting of the Directors at which such contract, arrangement or dealing is first taken into consideration the nature of his interest therein, or if such interest is subsequently acquired provided that he discloses the fact that he has acquired such interest at the next meeting held after such interest was acquired. A Director may vote as a Director in respect of any such contract, arrangement or dealing and shall be reckoned in estimating a quorum when any such contract, arrangement or dealing is under consideration. A general notice given to the Directors by a Director to the effect that he is a member of a specified company or firm and is to be regarded as interested in any contract, arrangement or dealing which may after the date of the notice be entered into or made with that company or firm, shall for the purpose of this Article, be deemed to be a sufficient disclosure of interest in relation to any contract, arrangement or dealing so entered into or made.

27. The provisions of Table A if and so far as inconsistent with Articles 20 to 28 hereof inclusive shall not apply.

ALTERNATE DIRECTORS

28. Each Director may nominate a person, who shall be approved of by the other Directors, to act as Alternate Director in his place during his absence or inability to act as such Director. Such alternate Director shall be subject in all respects to the terms and conditions existing with reference to the Directors of the Company, and such Alternate Director when acting shall exercise and discharge all the duties and functions of the Director whom he shall represent, and in the case of an Alternate Director being unable to act during the absence or inability to act of the Director whom he represents he may, with the like approval, appoint a duly qualified person to act in his place.

MANAGING DIRECTOR

29. The Directors may from time to time entrust to and confer upon the Managing Director or Manager all or any of the powers of the Directors (excepting the power to make calls, forfeit shares and borrow money or issue Debentures) that they may think fit. But the exercise of all powers by the Managing Director or Manager shall be subject to such regulations and restrictions as the Directors may from time to time make and impose and the said powers may at any time be withdrawn, revoked or varied.

30. Clause 68 of Table A shall be read and construed as if the words "rotation of retirement" were substituted for the words "rotation or retirement".

RESERVE FUND

31. The Directors may before recommending any dividend set aside, out of the profits of the Company, such sums as they think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for special dividends, or for repairing, improving and maintaining any of the property of the Company, and for such other purposes as the Directors shall in their absolute discretion think conducive to the interests of the Company: and may invest the several sums so set aside upon such investments as they may think fit, and from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit and employ the reserve fund or any part thereof in the business of the Company, and that without being bound to keep the same separate from the other assets. Clause 93 of Table A shall be modified accordingly.

DIVIDENDS

32. The profits of the Company available for distribution among the members shall first be applied in paying to the holders of Preference Shares the cumulative preferential dividend to which they are entitled and the balance shall belong to and be divisible among the holders of Ordinary Shares in proportion to the amount paid up or credited as paid up for the time being on their Ordinary Shares respectively. No amount paid on a share in advance of calls shall while carrying interest be treated for the purpose of this Article as paid on the share.

33. Any General Meeting declaring a dividend may resolve that such dividend be paid wholly or in part by the distribution of specific assets, and in particular of paid up shares, debentures or debenture stock of the Company, or paid up shares, debentures or debenture stock of any other Company, or in any one or more of such ways.

NOTICES

34. Where a notice is sent by post it shall be deemed to have been served at the expiration of 48 hours after it was posted and Clause 104 of Table A shall be modified accordingly.

35. A Member who has no registered address in the Colony and Protectorate of Kenya and who has not supplied to the Company an address within the said Colony and Protectorate for the giving of notices to him shall not be entitled to receive any notices from the Company.

WINDING UP

36. If the Company shall be wound up the assets remaining after payment of the debts and liabilities of the Company and the costs of the liquidation shall be applied, first, in repaying to the Preference Shareholders the amounts paid up or credited as paid up on the shares held by them respectively and any arrears of dividend on such Preference Shares down to the commencement of the winding up and the balance (if any) shall be distributed among the holders of the Ordinary Shares in proportion to the number of Ordinary Shares held by them respectively PROVIDED always that the provisions hereof shall be subject to the rights of the holders of further shares (if any) hereafter issued upon special conditions.

37. In a winding up any part of the assets of the Company, including any shares in or securities of other companies, may, with the sanction of an Extraordinary Resolution of the Company, be divided among the members of the Company in specie or may be vested in trustees for the benefit of such members, and the liquidation of the Company may be closed and the Company dissolved but so that no member shall be compelled to accept any share whereon there is any liability.

Names, Addresses and Descriptions of Subscribers.

Dated the day of 1945.

WITNESS to the above signatures.

GOVERNMENT NOTICE NO. 364

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

K. W. SIMMONDS,
Acting Clerk to the Legislative Council.

A Bill to Amend the Local Government (Municipalities) Ordinance, 1928

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

1. This Ordinance may be cited as the Local Government (Municipalities) (Amendment) Ordinance, 1945, and shall be read as one with the Local Government (Municipalities) Ordinance, 1928, hereinafter called the principal Ordinance. Short title.
No. 19 of 1928
2. Section 52 of the principal Ordinance is hereby amended by deleting paragraph (9) thereof and substituting therefor the following paragraph:—
“(9) to establish, erect, maintain, let, control and manage markets and market buildings, lodging houses, eating houses, shops, stalls and stands, and to control the occupation and use thereof, and to acquire land or buildings for any purpose provided for in this paragraph;” Amendment of section 52 of the principal Ordinance.
3. Section 87 of the principal Ordinance is hereby amended by repealing sub-section (1) thereof and by substituting therefor the following sub-section:—
“(1) This section shall apply only to the municipalities of Nairobi and Mombasa:
Provided that the Governor may order that all or any of the provisions of this section shall apply to any other area which has been declared, or which may from time to time be declared, by the Governor to be a municipality in the exercise of his powers under sub-section (1) of section 11 of this Ordinance.” Amendment of section 87 of the principal Ordinance
4. Section 99 of the principal Ordinance is hereby amended by inserting in sub-section (1) thereof the words “in municipalities”—
(a) between the words “government” and “and” in line 5 thereof; and
(b) between the words “government” and “for” in line 7 thereof. Amendment of section 99 of the principal Ordinance.
5. Sections 104 and 105 of the principal Ordinance are hereby repealed. Repeal of sections 104 and 105 of the principal Ordinance.

MEMORANDUM OF OBJECTS AND REASONS

Clause 2.—The object of this clause is to amplify the existing paragraph (9) of section 52 of the principal Ordinance, and to extend the powers of Municipal Councils to include the establishment and management of lodging houses, eating houses and shops.

Clause 3.—By the existing sub-section, which it is sought to replace by this clause, section 87 of the principal Ordinance (which deals with Government contributions) is confined to the municipalities of Nairobi and Mombasa. Since the enactment of the principal Ordinance, other municipalities have been established and others may from time to time be established. Such municipal authorities have the option of raising or not raising a rate, and it is desired to give legal authority for granting to the municipal authorities that do rate their areas the Government contributions provided for by section 87 to such extent as is considered equitable having regard to the responsibilities which they have assumed.

Clause 4.—The function of the Standing Committee for Local Government is to advise the Governor on matters relating to local government in municipalities. The Standing Committee for Rural Areas advises the Governor on matters relating to local government in rural areas. The object of this clause is to make the distinction clear.

Clause 5.—By section 104 of the principal Ordinance a Central Roads Board is required to be established, whose functions are set out in section 105. The Board was in fact established by the Central Roads and Traffic Board Ordinance, 1929. The two sections which it is sought to repeal are therefore no longer required, but the functions of this Board which are set out in section 105 will be incorporated in the Central Roads and Traffic Board Ordinance, 1929.

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

Nairobi, 13th April, 1945.

T. A. BROWN,
Acting Attorney General.

GOVERNMENT NOTICE No. 365

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

K. W. SIMMONDS,
Acting Clerk to the Legislative Council.

A Bill to Amend the Central Roads and Traffic Board Ordinance, 1929

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.

No. 18 of 1929.

Repeal and replacement of section 4 of the principal Ordinance.

Powers and duties of the Board.

No. 19 of 1928.

1. This Ordinance may be cited as the Central Roads and Traffic Board (Amendment) Ordinance, 1945, and shall be read as one with the Central Roads and Traffic Board Ordinance, 1929, hereinafter called the principal Ordinance.

2. Section 4 of the principal Ordinance is hereby repealed and the following section is substituted therefor:—

“4. (1) The powers and duties of the Board shall be as follows:—

(a) To advise the Governor upon the following matters:—

(i) The contributions payable from the general revenue of the Colony under section 87 of the Local Government (Municipalities) Ordinance, 1928, in respect of the construction, reconstruction and maintenance of roads;

(ii) the classification of roads in respect of which such contributions are payable;

(iii) all grants to any Municipal Council or Municipal Board in respect of the construction, reconstruction or maintenance of roads;

(iv) all other matters concerning roads in municipalities.

(b) To exercise such of the powers of the Governor under the Traffic Ordinance, 1928, or under any other enactment relating to traffic for the time being in force, as the Governor may delegate to the Board.

(c) To advise the Governor upon any matter or thing relating to the public roads of the Colony and the traffic thereon and the dedication of lines of public travel.

(2) The Board shall control any plant which may be placed at its disposal for the purpose of hire to any Municipal Council or Municipal Board, and shall prescribe charges for the hire of such plant, and shall do all other things necessary in regard to the conditions of hiring such plant.”

MEMORANDUM OF OBJECTS AND REASONS

By section 105 of the Local Government (Municipalities) Ordinance, 1928, the functions of the Central Roads Board, for the establishment of which provision is made under section 104 of that Ordinance, are set out. No Central Roads Board was established by that Ordinance, but the Central Roads and Traffic Board Ordinance, 1929, was enacted and established a Central Roads and Traffic Board.

The object of this Bill is to transfer the powers contemplated for the Central Roads Board under the Local Government (Municipalities) Ordinance, 1928, to the Central Roads and Traffic Board established under the principal Ordinance.

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

Nairobi, 13th April, 1945.

T. A. BROWN,
Acting Attorney General.

GOVERNMENT NOTICE No. 366

(S/E. 20/1/21/4)

VACANCY—CHIEF STORE-KEEPER, POSTS AND TELEGRAPHS DEPARTMENT

APPLICATIONS are invited for a post of Chief Store-keeper in the Posts and Telegraphs Department, and should be sent to the Secretary, European Civil Service Advisory Board, P.O. Box 621, Nairobi, to reach him not later than the 31st May, 1945. Applicants in Government employment should apply in terms of Secretariat Circular No. 30 of 1944.

The scale of salary attached to the post will be £500 by £20 to £660 on Kenya European Civil Service terms of service. Details of these terms of service may be obtained from the Secretary, European Civil Service Advisory Board, at the above address. In the event of an officer of the Civil Service who has already been accorded pensionable status being appointed he will retain his pensionable rights and other privileges on an appropriate salary scale.

Candidates must possess a sound knowledge of accounting, costing and unallocated stores management, etc., good organizing ability and a keen sense of responsibility. The successful candidate will be liable for service in Kenya, Uganda or Tanganyika, but will normally be stationed in Nairobi.

GOVERNMENT NOTICE No. 367

(S/E. 20/1/21/4)

VACANCY—ASSISTANT STORE-KEEPER, POSTS AND TELEGRAPHS DEPARTMENT

APPLICATIONS are invited for appointment to the post of Assistant Store-keeper, Posts and Telegraphs Department.

The scale of salary attached to the post is £170 by £20 to £210 by £30 to £240 by £20 to £360 by £20 to £420 on terms and conditions applicable to the Kenya European Civil Service.

Candidates should possess a knowledge of accounting, costing, etc., of Government stores and should be acquainted with Government Regulations and Financial Orders.

The successful candidate will be liable for service in Kenya, Uganda or Tanganyika, but normally will be stationed in Nairobi.

Applications from officers in the Service should be accompanied by the recommendations of the Heads of their Departments and should be addressed to the Postmaster General, P.O. Box 311, Nairobi, to arrive not later than 15th May, 1945.

GOVERNMENT NOTICE No. 368

VACANCIES—PUBLIC WORKS DEPARTMENT

APPLICATIONS are invited for the following vacancies in the Kenya European Civil Service posts in the Public Works Department and should be sent to the Secretary, European Civil Service Advisory Board, P.O. Box 621, Nairobi, before the 15th May, 1945. Full details of qualifications and experience should be provided. Members of the Civil Service in Kenya should apply in terms of Secretariat Circular No. 30 of 1944. Further details of Kenya European Civil Service terms of service may be obtained on application to the Secretary, European Civil Service Advisory Board.

I—FURNITURE OFFICER.

Salary, £400 by £20 to £500. Candidates will be required to possess tact; otherwise no particular qualifications are required.

II—OFFICE SUPERINTENDENT.

Salary, £500 by £20 to £660. The successful candidate must possess a sound knowledge of general office routine, registration and filing of correspondence, and will be held responsible for the security of secret and confidential correspondence in his care.

III—DRAWING OFFICE SUPERINTENDENT.

Salary, £440 by £20 to £540. The qualifications required are a knowledge of engineering and architectural drawing office practice, and ability to control subordinate Asian and African staff.

In all the above posts, and especially in that of Office Superintendent, a good knowledge of Government regulations would be an advantage.

GOVERNMENT NOTICE No. 369

(Vet. 1/17/1 II)

THE DEFENCE (CONTROL OF HIDES, SKINS AND LEATHER) REGULATIONS, 1945**HIDES EXPORTERS' GROUP**

IN EXERCISE of the powers conferred upon him by paragraph (a) of Regulation 4 of the Defence (Control of Hides, Skins and Leather) Regulations, 1945, His Excellency the Governor has been pleased to appoint the following exporters of hides to be members of the Hides Exporters' Group for the purposes of the said Regulations:—

The African Mercantile Co., Ltd.
The Old East African Trading Co., Ltd.
The United Africa Co. (Kenya), Ltd.
The Twentsche Overseas Trading Co., Ltd.
The East Africa Bata Shoe Co., Ltd.
A. B. Abdulhusein & Co., Dar es Salaam.

Government Notice No. 738 of the 31st August, 1943, is hereby cancelled.

By Command of His Excellency the Governor.

Nairobi, 11th April, 1945.

E. R. E. SURRIDGE,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 370

(Vet 1/17/1 II)

THE DEFENCE (CONTROL OF HIDES, SKINS AND LEATHER) REGULATIONS, 1945

IN EXERCISE of the powers conferred upon him by Regulation 5 of the Defence (Control of Hides, Skins and Leather) Regulations, 1945, His Excellency the Governor has been pleased to prescribe the quota of hides which may be exported from the Colony by each member of the Hides Exporters' Group as follows:—

	Per cent
Old East African Trading Co., Ltd.	32.12
The United Africa Co. (Kenya), Ltd.	21.73
The African Mercantile Co., Ltd.	18.05
The E.A. Bata Shoe Co., Ltd.	9.45
The Twentsche Overseas Trading Co., Ltd.	9.45
A. G. Abdulhusein & Co.	9.20

Government Notice No. 736 of the 31st August, 1943, is hereby cancelled.

By Command of His Excellency the Governor.

Nairobi, 11th April, 1945. E. R. E. SURRIDGE,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 371

(D/Dev. 1/4)

DEVELOPMENT COMMITTEE

IT IS notified for general information that His Excellency the Governor has been pleased to appoint—

MAJOR THE HON. F. H. DE V. JOYCE, M.C.

to be a member of the Development Committee in the place of Lt.-Col. A. C. Hoey, O.B.E., resigned.

Government Notice No. 40 of the 5th of January, 1945, is varied accordingly.

By Command of His Excellency the Governor.

Nairobi, 12th April, 1945. E. R. E. SURRIDGE,
Acting Chief Secretary.

GOVERNMENT NOTICE No. 372

(J. & L. 32/1/2/III)

THE COURTS ORDINANCE, 1931

IN EXERCISE of the powers conferred upon him by sections 6 and 7 of the Courts Ordinance, 1931, and all other powers thereunto enabling him, His Excellency the Governor has been pleased to appoint the person specified in the first column of the Schedule hereto to be a Magistrate—

- (a) with powers to hold a Subordinate Court of the Third Class in the area specified in the second column of the said Schedule; and
- (b) with powers to hold a Subordinate Court of the Second Class in the area specified in the second column of the said Schedule in respect of offences arising out of the Employment of Servants Ordinance, 1937, the Resident Labourers Ordinance, 1937, and the Native Registration Ordinance (Chapter 127 of the Revised Edition).

By Command of His Excellency the Governor.

Nairobi, 12th April, 1945. K. G. LINDSAY,
for Acting Chief Secretary.

SCHEDULE

FIRST COLUMN Magistrate	SECOND COLUMN Local Limits of Jurisdiction
Major Harold Percival Hill, J.P.	Trans Nzoia District

GOVERNMENT NOTICE No. 373

(J. & L. 32/1/2/III)

THE COURTS ORDINANCE, 1931

IN EXERCISE of the powers conferred upon him by sections 6 and 7 of the Courts Ordinance, 1931, and all other powers thereunto enabling him, His Excellency the Governor has been pleased to appoint each of the persons specified in the first column of the Schedule hereto to be a Magistrate—

- (a) with powers to hold a Subordinate Court of the Third Class in the respective area specified in the second column of the said Schedule; and
- (b) with powers to hold a Subordinate Court of the Second Class in the respective area specified in the second column of the said Schedule in respect of offences arising out of the Employment of Servants Ordinance, 1937, the Resident Labourers Ordinance, 1937, and the Native Registration Ordinance (Chapter 127 of the Revised Edition).

Nairobi, 12th April, 1945. K. G. LINDSAY,
for Acting Chief Secretary.

SCHEDULE

FIRST COLUMN Magistrate	SECOND COLUMN Local Limits of Jurisdiction
Major Dennis James Leonard	Trans Nzoia District
William Arnold North, Esq.	The Laikipia District

GOVERNMENT NOTICE No. 374

(J. & L. 26/3/9/2)

THE COURTS ORDINANCE, 1931

IN EXERCISE of the powers conferred upon him by section 6 of the Courts Ordinance, 1931, His Excellency the Governor has been pleased to appoint, with effect from the 22nd March, 1945—

RICHARD OWEN HENNINGS

to be a Magistrate of the First Class with powers to hold a Subordinate Court of the First Class in the Northern Frontier District, North Nyeri District of the Central Province, and in the Rift Valley Province, whilst holding his present appointment as District Commissioner, Laikipia-Samburu District, Rift Valley Province, and Northern Frontier District.

By Command of His Excellency the Governor.

K. G. LINDSAY,
Nairobi, 11th April, 1945. *for Acting Chief Secretary.*

GOVERNMENT NOTICE No. 375

(J. & L. 32/1/2 III)

THE COURTS ORDINANCE, 1931

IN EXERCISE of the powers conferred upon him by sections 6 and 7 of the Courts Ordinance, 1931, and all other powers thereunto enabling him, His Excellency the Governor has been pleased to appoint with effect from the 10th April, 1945—

LT.-COL. RICHARD FREDERICK RAINSFORD, I.S.O.

to be a Magistrate with powers to hold a Subordinate Court of the Second Class in the Trans Nzoia District of the Rift Valley Province in respect of criminal cases generally.

By Command of His Excellency the Governor.

K. G. LINDSAY,
Nairobi, 10th April, 1945. *for Acting Chief Secretary.*

GOVERNMENT NOTICE No. 376

(J. & L. 26/3/9/2/IV)

THE COURTS ORDINANCE, 1931

IN EXERCISE of the powers conferred upon him by section 6 of the Courts Ordinance, 1931, His Excellency the Governor has been pleased to appoint with effect from the 1st April, 1945—

PHILIP FORSTER FOSTER

to be a Magistrate of the First Class, with powers to hold a Subordinate Court of the First Class in the Mombasa District, whilst holding his present appointment as Municipal Native Affairs Officer, Mombasa.

By Command of His Excellency the Governor.

K. G. LINDSAY,
Nairobi, 10th April, 1945. *for Acting Chief Secretary.*

GOVERNMENT NOTICE No. 377

(J. & L. 26/3/9/2/IV)

THE COURTS ORDINANCE, 1931

IN EXERCISE of the powers conferred upon him by section 6 of the Courts Ordinance, 1931, His Excellency the Governor has been pleased to appoint, with effect from the 7th March, 1945—

FRANCIS ALFRED LOYD

to be a Magistrate of the First Class with powers to hold a Subordinate Court of the First Class in the Northern Frontier District, whilst holding his present appointment as District Commissioner, Moyale, Northern Frontier District.

By Command of His Excellency the Governor.

K. G. LINDSAY,
Nairobi, 10th April, 1945. *for Acting Chief Secretary.*

GENERAL NOTICE No. 635

GRAZING—SOUTH TINDERET FOREST RESERVE

TENDERS are invited for the grazing rights over the Ndingoro glade of approximately 480 acres adjoining Farm 7412 for a period of five years from 1st May, 1945.

Only European-owned cattle may be grazed and the licence will be subject to the strict observance of all veterinary regulations.

Tenders in the form of a rate per acre per annum which will be payable in advance each year should be submitted to the Assistant Conservator, Forest Office, Londiani, on or before the 25th April, 1945.

The highest or any tender will not necessarily be accepted.

H. M. GARDNER,
Nairobi, 7th April, 1945. *Conservator of Forests.*

GENERAL NOTICE No. 637

NAKURU DISTRICT COUNCIL

RESULT OF ELECTION—NJORO WARD

THE following candidate was duly elected by postal ballot on 13th April, 1945:—

A. J. B. Stewart, Esq.

D. G. S. URMSON,
Nakuru, 13th April, 1945. *Returning Officer.*

GENERAL NOTICE No. 638

NYANZA LIQUOR LICENSING COURT

THE following application will be considered at the next sitting of the Nyanza Liquor Licensing Court to be held on 14th May, 1945, at the office of the District Commissioner, Kisumu/Londiani, Kisumu:—

Name of applicant.—European Dairy, Kisumu.

Class of licence.—Malt Liquor Licence.

Premises.—Plot No. 30, Station Road, Kisumu.

F. G. JENNINGS,
District Commissioner,
Kisumu/Londiani.

GENERAL NOTICE No. 639

NAIROBI LIQUOR LICENSING COURT

LATE APPLICATIONS TO BE CONSIDERED BY THE NAIROBI LIQUOR LICENSING COURT AT ITS MEETING ON 14TH MAY, 1945, AT 10 A.M. IN THE OFFICE OF THE DISTRICT COMMISSIONER, NAIROBI

New Applications

Wine Merchants' and Grocers' Liquor Licence

E.A. Goan Co-operative Society, Ltd., Plot No. 1996, Race-course Road, Nairobi.

Husseini Grocery Stores, Plot No. 621, Portal Street, Nairobi.

Wholesale Liquor Licence

Premchand Brothers, Ltd., Plot No. 743, Indian Bazaar, Nairobi.

Malt Liquor Licence

Sohal Lal Sethi and Joginder Singh Plada, trading as "Star Restaurant", Plot No. 138/14, River Road, Nairobi.

GENERAL NOTICE No. 640

NAIROBI DISTRICT COUNCIL

NOTICE OF ELECTION—WARDS 9 AND 10, MACHAKOS

IT IS hereby notified that an election will take place on Saturday the 28th of April, 1945, to fill vacancies for two members in each of the Wards Nos. 9 and 10 (Machakos North and Machakos South Wards respectively) created by Proclamation No. 14, Kenya Official Gazette Supplement No. 16 of 10th April, 1945.

Every candidate for election shall be proposed and seconded and shall be supported by not less than three persons other than the proposer and seconder. The proposer and seconder and supporters shall be persons whose names appear on the Voters Roll for the appropriate ward.

Every nomination paper shall be in a form prescribed by the Rules under this Ordinance and the signature of the proposer and seconder shall be witnessed by a magistrate, justice of the peace or notary-public.

Every nomination paper subscribed and witnessed as aforesaid shall be delivered to the Returning Officer, either by registered post or in person not later than 1 p.m. on Saturday the 28th of April, 1945.

If nominations are received from more than one candidate the election will be postponed for the purpose of taking a poll.

Nomination papers may be obtained at the offices of Council, Victoria Street, Nairobi.

JOHN DICKENSON, *Returning Officer.*

13th April, 1945. *Nairobi District Council,*
P.O. Box 1362, Nairobi.

GENERAL NOTICE No. 641

THE WATER ORDINANCE, 1928

Tributary of Molo River, Nakuru District

APPLICATION by the Director of Agriculture of Nairobi for a Water Right from a tributary of the Molo River on a portion of Forest Reserve L.R. No. 4301 for net quantities of 800 and 200 gallons per day for the purpose of domestic use and minor irrigation respectively.

Plans may be seen at the Public Works Department Office, 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 No. 662, Nairobi, within thirty days from the date of publication of this notice, and a copy served on the undersigned.

A. B. KILLICK, *Lawfully Authorized Agent,*
Department of Agriculture,
P.O. Box 338, Nairobi.

GENERAL NOTICE No. 642

THE WATER ORDINANCE, 1929

Riara River, Limuru District

APPLICATION by the Kenya Tea Company, Ltd., of Limuru for a Water Right from the Riara River on L.R. No. 141/6 for 3,000 gallons per day for the purpose of domestic use.

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.

HAMILTON, HARRISON & MATHEWS,
*Lawfully Authorized Agents,
Nairobi House, Nairobi.*

GENERAL NOTICE No. 643

THE WATER ORDINANCE, 1929

Kibiusa River, Ainabkoi District

APPLICATION by G. H. M. Lamb of Ainabkoi for a Water Right from the Kibiusa River on L.R. No. 6261/1 for net quantities of 1,000 and 2,700 gallons per day for the purpose of domestic use and minor irrigation respectively.

Plans may be seen at the Public Works Department Office, Nairobi, and at the office of the Uasin Gishu District Council, Eldoret.

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.

G. H. M. LAMB, Applicant,
Ainabkoi.

GENERAL NOTICE No. 644

COTTON PIECE GOODS

FOLLOWING representations from the Uganda Government, it has been agreed by the Kenya and Uganda Administrations that changes will be made in the method of the distribution of certain classes of cotton piece goods for Uganda.

The Uganda Government have arranged that the undermentioned piece goods entering the territory shall be consigned to and controlled by a comprehensive group of the established wholesale piece goods merchants under the style of the Uganda Piece Goods Buying Pool, who will be working in conjunction with the Uganda Department of Supplies. The Imports Controller, under powers vested in him, will, in future, ensure that cotton piece goods, in accord with the undernoted percentages, will be consigned direct by importers to the Uganda Piece Goods Buying Pool. The agreed percentages of the total importations of piece goods which will be consigned to Uganda are as under:—

	Percentage
Grey sheetings and shirtings	65
Grey drill	6
Bleached	45
Printed	50
Dyed	35
Coloured and yarn dyed	55

In regard to cotton blankets, Uganda has been allocated 30 per cent of the total number of pieces imported.

These percentages may be varied at the discretion of the Imports Controller in respect of individual shipments or of a given period.

In order to assist in the carrying out of this new procedure, a representative of the Uganda Piece Goods Buying Pool will be available in Mombasa to assist the Imports Controller and the importers.

All purchases by the Uganda Piece Goods Buying Pool will be on an approved form of contract. Importers may enter into contracts with the Pool at any time they are in a position to do so, i.e. when they themselves make purchases or when they have received advice of shipments, or after the goods have arrived in Mombasa. The Uganda Government have agreed to undertake that the goods lawfully tendered under these contracts will be taken up but this undertaking will be subject to six months notice of termination by the Uganda Government.

In view of the undertaking now given by the Uganda Government which safeguards importers against market fluctuations and selling risks, the Government of Kenya have agreed that special margins of profit which show a consequential reduction in the existing scale in the Third Schedule to the Price Regulations will be introduced in respect of all goods sold under the above-mentioned contracts. Details of this are being published in the Official Gazette by the Controller of Prices.

The foregoing arrangements will mean that unless arrivals are covered by forward contracts with the Uganda Pool, each merchant's importation will be frozen until the specified proportion of goods destined for Uganda is covered by a contract. Under this scheme all piece goods for Uganda will be sold on "F" invoices to the Uganda Piece Goods Buying Pool and all invoices will have to bear the number of the contract to which the invoice applies.

The official organization which will direct the distribution on behalf of the Uganda Government will be the Kenya and Uganda Imports Control Department.

GENERAL NOTICE No. 645

THE BANKRUPTCY ORDINANCE

NOTICE OF INTENDED DIVIDEND

Summary Case

Debtor's name.—Jamnadas Liladhar Devani.

Address.—Thika.

Description.—Shop-keeper.

Court.—H.M. Supreme Court, Nairobi.

Number of matter.—54 of 1932.

Last day for receiving proofs.—1st May, 1945.

Name of trustee.—The Official Receiver.

Address.—Law Courts Building, P.O. Box 231, Nairobi.

R. G. GREEN,

Nairobi, 11th April, 1945.

Deputy Official Receiver.

GENERAL NOTICE No. 646

THE BANKRUPTCY ORDINANCE

NOTICE OF INTENDED DIVIDEND

Summary Case

Debtor's name.—S. H. Kruger (deceased).

Address.—Nairobi.

Description.—Contractor.

Court.—H.M. Supreme Court, Nairobi.

Number of matter.—8 of 1928.

Last day for receiving proofs.—1st May, 1945.

Name of trustee.—The Official Receiver.

Address.—Law Courts Building, P.O. Box 231, Nairobi.

R. G. GREEN,

Nairobi, 12th April, 1945.

Deputy Official Receiver.

GENERAL NOTICE No. 647

THE BANKRUPTCY ORDINANCE

NOTICE OF DIVIDEND

Debtor's name.—Julian Peters.

Address.—Eldoret.

Description.—Clerk.

Court.—H.M. Supreme Court, Nairobi.

Number of matter.—9 of 1939.

Amount per £.—Sh. 3/09.

First or final or otherwise.—Second and final.

When payable.—17th April, 1945.

Where payable.—Official Receiver's Office, Law Courts, P.O.

Box 231, Nairobi.

R. G. GREEN,

Nairobi, 12th April, 1945.

Deputy Official Receiver.

GENERAL NOTICE No. 648

THE BANKRUPTCY ORDINANCE

NOTICE OF DIVIDEND

Summary Case

Debtors' names.—Ramji Nanchand, Jethalal Nanchand and

Karman Devraj, trading as "Dhanani Brothers".

Address.—Fort Hall Road, Nairobi.

Description.—Shopkeepers.

Court.—H.M. Supreme Court, Nairobi.

Number of matter.—43 of 1932 (and 52 of 1932, consolidated

with 43 of 1932).

Amount per £.—Sh. 1/70.

First or final or otherwise.—Second and final.

When payable.—17th April, 1945.

Where payable.—Official Receiver's Office, Law Courts, P.O.

Box 231, Nairobi.

R. G. GREEN,

Nairobi, 12th April, 1945.

Deputy Official Receiver.

GENERAL NOTICE No. 649

THE BANKRUPTCY ORDINANCE

NOTICE OF INTENDED DIVIDEND

Insolvency Jurisdiction

Debtor's name.—Chaturbhuj Liladhar, one of the partners in

the firm formerly trading as "Amershi Madhawii & Co."

Address.—Nairobi.

Description.—Traders.

Court.—H.M. Supreme Court, Nairobi.

Number of matter.—63 of 1921.

Last day for receiving proofs.—1st May, 1945.

Name of trustee.—The Official Receiver.

Address.—Law Courts, P.O. Box 231, Nairobi.

R. G. GREEN,

Nairobi, 13th April, 1945.

Deputy Official Receiver.

GENERAL NOTICE No. 650

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No. 17 OF 1945

In the matter of Squadron-Leader Alec Ernest Cook, deceased

TAKE NOTICE that all persons having any claims against the estate of the above-named Squadron-Leader Alec Ernest Cook, who died on air operations on the 14th day of August, 1944, are required to prove such claims before me the undersigned on or before the 18th day of June, 1945, after which date the claims so proved will be paid and the estate distributed according to law.

W. B. CUMMING,

Nairobi, 12th April, 1945.

Public Trustee.

GENERAL NOTICE No. 651

PROBATE AND ADMINISTRATION
PUBLIC TRUSTEE'S CAUSE No. 18 OF 1945

In the matter of Mrs. Kathleen Ena Van Dijk, deceased

TAKE NOTICE that on or after the 2nd day of May, 1945, I intend to apply to H.M. Supreme Court of Kenya at Nairobi for letters of administration (with will annexed) to the estate of the above-named Mrs. Kathleen Ena Van Dijk who died at Nairobi on the 25th day of February, 1945.

Nairobi, 13th April, 1945.

W. B. CUMMING,
Public Trustee.

GENERAL NOTICE No. 652

PROBATE AND ADMINISTRATION
PUBLIC TRUSTEE'S CAUSE No. 18 OF 1945

In the matter of Mrs. Kathleen Ena Van Dijk, deceased

TAKE NOTICE that all persons having any claims against the estate of the above-named Mrs. Kathleen Ena Van Dijk, who died at Nairobi in the Colony of Kenya on the 25th day of February, 1945, are required to prove such claims before me the undersigned on or before the 18th day of June, 1945, after which date the claims so proved will be paid and the estate distributed according to law.

Nairobi, 13th April, 1945.

W. B. CUMMING,
Public Trustee.

GENERAL NOTICE No. 653

PROBATE AND ADMINISTRATION
CAUSE No. 57 OF 1945

In the matter of Mrs. Eileen Grace Stradling, deceased

TAKE NOTICE that all persons having any claims against, or owing sums to the estate of, the above-named Mrs. Eileen Grace Stradling, deceased, who died at Gordon's Bay in the Cape Province of the Union of South Africa on the 22nd day of May, 1944, are required to prove such claims before me the undersigned or to pay to me the amount due, on or before the 30th day of June, 1945, after which date the claims so proved will be paid and the estate distributed according to law.

FRANK OLIVER MARTIN,
Attorney of the Executor,
c/o the Standard Bank of S.A., Ltd., Kitale.

GENERAL NOTICE No. 654

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION
CAUSE No. 61 OF 1945

*Re Mary Isherwood, deceased
and*

In the matter of an application for resealing in the Colony and Protectorate of Kenya for the exemplification of the probate of the will and codicil granted by His Majesty's High Court of Justice in England in the Principal Probate Registry at Llandudno.

TAKE NOTICE that an application has been made by Messrs. Shapley, Schwartze & Barret, Advocates, Nairobi, for and on behalf of John Wilkinson of Holcombe Brook near Ramsbottom in the County of Lancaster one of the executors named in the will of the deceased for resealing in the Colony and Protectorate of Kenya of an exemplification of the probate granted by His Majesty's High Court of Justice in England in the Principal Probate Registry at Llandudno to one of the said executors on the 20th day of May, 1940, of the will and codicil of Mary Isherwood, formerly of 85 Longsight Road, Holcombe Brook near Bury in the County of Lancaster, but late of Robinson Kay Home Summerseat in the said County, who died at Robinson Kay Home aforesaid on the 20th day of February, 1940, and that this Court will proceed to order accordingly unless cause be shown to the contrary and appearance in this respect entered on or before the 3rd day of May, 1945.

Nairobi, 12th April, 1945.

E. J. O'FARRELL, Registrar,
Supreme Court of Kenya.

GENERAL NOTICE No. 655

IN THE SUPREME COURT AT NAIROBI
PROBATE AND ADMINISTRATION

CAUSE No. 62 OF 1945

Notice of application for administration of estate of Savitri d/o Hemraj, late of Nanyuki, deceased

TAKE NOTICE that application having been made in this Court by Chhaganlal Somji of Nanyuki for letters of administration intestate of the estate of Savitri d/o Hemraj, late of Nanyuki, who died at Nairobi on the 9th day of April, 1945, 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 3rd day of May, 1945.

Nairobi, 12th April, 1945.

E. J. O'FARRELL,
Registrar.

GENERAL NOTICE No. 656

IN THE SUPREME COURT AT NAIROBI
PROBATE AND ADMINISTRATION

CAUSE No. 63 OF 1945

Notice of application for administration of estate of Panna Lal Seth, late of Mombasa, deceased

TAKE NOTICE that application having been made in this Court by Mrs. Vidya Vati, widow of Panna Lal Seth of Mombasa, for letters of administration intestate of the estate of Panna Lal Seth, late of Mombasa, who died at Mombasa on the 19th day of March, 1945, 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 3rd day of May, 1945.

Nairobi, 12th April, 1945.

E. J. O'FARRELL,
Registrar.

GENERAL NOTICE No. 657

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No. 84 OF 1942

In the estate of Margaret Thaw Carnegie de Perigny, Comtesse de Perigny, deceased

TAKE NOTICE that the administrator of the estate of the above-named deceased has filed the final account of his administration of the above-named estate and that the same has been fixed for passing on Monday the 30th day of April, 1945, at 2.15 p.m. or so soon thereafter as possible on that day, after which date no objections will be heard thereto.

Nairobi, 13th April, 1945.

E. J. O'FARRELL, Registrar,
Supreme Court of Kenya.

GENERAL NOTICE No. 658

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No. 59 OF 1945

*In the matter of Vikerna Jit Kapur, deceased
and*

In the matter of an application for resealing in the Colony and Protectorate of Kenya of letters of administration granted by the District Delegate, Northern Province, at Arusha.

TAKE NOTICE that an application has been made to this Court by Mrs. Sushila Kumari Kapur, the administratrix of the estate of Vikerna Jit Kapur the above-named deceased, for resealing in the Colony and Protectorate of Kenya of letters of administration granted to her by the District Delegate, Northern Province, at Arusha in the Tanganyika Territory, on the 14th day of November, 1944, in the estate of the above-named deceased, late of Arusha, who died at Arusha on the 11th day of June, 1944, and that this Court will proceed to order accordingly unless cause be shown to the contrary and appearance in this respect entered on or before the 3rd day of May, 1945.

Nairobi, 9th April, 1945.

E. J. O'FARRELL, Registrar,
Supreme Court of Kenya.

GENERAL NOTICE No. 659

IN THE DISTRICT DELEGATE'S COURT AT KISUMU
PROBATE AND ADMINISTRATION

CAUSE No. 4 OF 1920

Notice of application for letters of administration de bonis non of the estate of Gulam Mohamed, late of Kibos in the Nyanza Province, Kenya Colony, deceased.

TAKE NOTICE that Ramzan s/o Gulam Mohamed of Kibigori in the Nyanza Province, Kenya Colony, having applied to this Court for (1) revocation of letters of administration intestate granted to Hakim Nizam Din and Jagan Nath, both of Kisumu, Kenya Colony, as creditors and friends on the 27th day of May, 1920, and (2) grant of letters of administration *de bonis non* to him instead thereof, this Court will proceed to issue the letters of administration *de bonis non* in the estate of Gulam Mohamed, late of Kibos aforesaid, who died at Kibos on the 19th day of March, 1920, intestate, to the said applicant, Ramzan s/o Gulam Mohamed, unless cause be shown to the contrary and appearance in this respect entered on or before the 1st day of May, 1945.

Kisumu,
10th April, 1945.

H. G. ELPHINSTONE,
Acting District Delegate,
Nyanza Province, Kisumu.

GENERAL NOTICE No. 660

I, Joseph Louis Philippe Verlaque, hereby give notice to all concerned that I will not after this date be responsible for the debts of my wife, Yvonne Verlaque of Nairobi, and that I expressly withdraw all and every authority which my said wife may have at any time either expressly or by implication acquired to contract for me as my agent or in any way to pledge my credit.

Nairobi, 10th April, 1945.

LOUIS PH. VERLAQUE.

GENERAL NOTICE No. 661

PROBATE AND ADMINISTRATION

CAUSE No. 46 OF 1945

In the matter of Mrs. Gladys May Barwell, deceased

TAKE NOTICE that all persons having any claims against the estate of the above-named Mrs. Gladys May Barwell who was killed in action at sea on the 12th day of February, 1944, are required to prove such claims before me the undersigned on or before the 1st day of May, 1945, after which date the claims so proved will be paid and the estate distributed according to law.

W. MORAN, *Attorney for Executor
of deceased's will,
P.O. Box 1104, Nairobi.*

11th April, 1945.

GENERAL NOTICE No. 662

PUBLIC WORKS DEPARTMENT
CLOSURE OF ROADS IN THE COAST AREAS

WARNING

NOTICE is hereby given that during the period of the rains the powers authorized under the Roads Protection Ordinance, 1924, will be exercised as and when necessary for the preservation of the following roads—:

Garsen—Witu.
Garsen—Hola.
Fundisha Turn-off (near Mambrui)—Garsen.
Mariakani—Gotani—Bamba—Vitengeni—Kakoeni.
Gotani—Baya Nyundo.
Kaloleni—Chonyi—Mayueni.
Kwale—Tanganyika Border.
Msambweni—Lunga Lunga.
Mariakani—Kinango.
Mazeras—Kinango.
Kaloleni—Jimba—Rabai.

2. The Lamu—Dubinta Road is the subject of a permanent closure order from 10th April to 15th June and again from 10th November to 20th December and is controlled by the District Commissioners, Garissa and Lamu.

The continuations of the Lamu—Dubinta Road and the Garsen—Hola Road to Garissa are dealt with in orders issued for the Northern Frontier District in which these portions lie. They are closed from the same date.

3. The powers referred to include the limitation of the weight of vehicles permitted to use the roads and the restriction or entire prohibition of any or all traffic for any period not exceeding one month.

4. The exact date on which restrictions will commence will depend upon weather conditions and although every effort will be made to give prior notice of any road closure it is necessary for travellers to ascertain whether restrictions are in operation before attempting to use any road scheduled above from now until June. Information concerning restrictions on these roads and roads in adjoining territories can be obtained from the Public Works Department, Mombasa.

5. During periods of closure permits to use any road or roads will be issued only when conditions are suitable for vehicles which comply with such limitations as may be specified.

6. Any person who uses or permits the use of a vehicle in contravention of any restriction or prohibition imposed will be liable, on conviction, to a fine not exceeding £50, or in default of payment, to imprisonment not exceeding three months (section 6, Roads Protection Ordinance, 1924).

GENERAL NOTICE No. 663

MUNICIPAL BOARD OF MOMBASA

VOTERS ROLL

NOTICE is hereby given that copies of the Supplementary Voters Roll and of the list of names expunged from the Voters Roll are open for inspection at all reasonable hours of the day at the Municipal Offices, Mombasa. All objections and claims to be enrolled will be heard and determined by the Resident Magistrate, Mombasa, on Wednesday, 2nd May, 1945, at 9 a.m.

E. G. TIDY, *Town Clerk;
Registering Officer.*

17th April, 1945.

GENERAL NOTICE No. 664

POSTAL SERVICE—SONDU POLICE STATION

IT IS notified for general information that, as from 7th April, 1945, a Private Bag Postal Service has been established between Kisumu Post Office and Sondu Police Station.

Correspondence for Sondu should, therefore, be addressed to—

The Assistant Inspector in Charge,
Sondu Police Station,
Private Bag, Kisumu.

Nairobi, 10th April, 1945.

W. S. GULLOCH,
Commissioner of Police.

GENERAL NOTICE No. 665

TRANS NZOIA LIQUOR LICENSING COURT

THE undermentioned application has been received for consideration by the Trans Nzoia Liquor Licensing Court, which will sit at the office of the District Commissioner, Kitale, on Monday, 14th May, 1945, at 10 a.m.:—

Applicants.—Umedbhai Girdharbhai Patel and Motibhai Girdharbhai Patel.

Class of licence.—Wine Merchants' and Grocers' Liquor Licence.

Premises.—Plot No. 22, Section IV, Kitale.

Remarks.—Change in proprietorship from Gordhandas Sunderji & Sons to U. G. Patel & Co.

Kitale,
7th April, 1945.

A. A. M. LAWRENCE, *Chairman,
Trans Nzoia Liquor Licensing Court.*

GENERAL NOTICE No. 666

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

PURSUANT to the above-mentioned Ordinance, notice is hereby given that the business of ration, grocery and native goods carried on by the undersigned Morarji Bhaktibhai Patel, under the name or style of "Economical Trading Store" at Karatina, has, as from 25th day of March, 1945, been transferred to Kunverji Vithalbhai Patel and Premabhai Parshotam, as per particulars hereunder:—

Name and address of transferor.—Morarji Bhaktibhai Patel, Merchant, Karatina.

Names and address of transferees.—Kunverji Vithalbhai Patel and Premabhai Parshotam, Merchants, Karatina.

Nature of business.—Ration, grocery and native goods.

The transferees will carry on the business at Karatina under the same name and style of "Economical Trading Store".

The transferees do not assume nor do they intend to assume any liabilities incurred by the transferor in the said business.

MORARJI BHAKTIBHAI PATEL, *Transferor.*
KUNVERJI VITHALBHAI PATEL,
PREMABHAI PARSHOTAM PATEL, *Transferees.*

3rd April, 1945.

GENERAL NOTICE No. 667

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

PURSUANT to the above Ordinance, notice is hereby given that the business of carpenters, furniture-makers and building contractors heretofore carried on by Bawa Singh Bir Singh, Dalip Singh Ran Singh and Bhag Singh Isher Singh under the name and style of Bawa Singh & Company at Nakuru in the Colony of Kenya on Plot No. 23, Section No. 1, Indian Bazaar, Nakuru, has been sold and transferred to Dalip Singh Ran Singh and Sucha Singh Nirman son of Isher Singh with effect from the 5th day of April, 1945, who will carry on the same business in the same premises at Nakuru in the new name of Nakuru Furniture Mart.

The address of the transferors is P.O. Box 118, Nakuru.

The address of the transferees is P.O. Box 106, Nakuru.

All debts due to and owing by the said firm of Bawa Singh and Company up to and including the 5th day of April, 1945, will be received and paid by the said new firm of Nakuru Furniture Mart.

BAWA SINGH,
DALIP SINGH,
BHAG SINGH, *Transferors.*

DALIP SINGH,
SUCHA SINGH NIRMAN, *Transferees.*

Nakuru, 6th April, 1945.

GENERAL NOTICE No. 668

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between (1) Ramji Jivraj Shah and (2) Gosar Rajpar Shah carrying on business of cutlery, hosiery, piece goods, etc., at Shop No. E 304 on the Jain Street, Mombasa, under the name and style of "Ramji Govindji & Company" has by mutual consent been dissolved as from the 9th day of April, 1945, so far as it concerns the said Gosar Rajpar Shah, who retires from the said firm.

The said business will henceforth be carried on by the remaining partner Ramji Jivraj Shah as sole proprietor at the same place under the new name and style of "Ramji Jivraj Shah".

All debts due to and owing by the said firm will be received and paid by the remaining partner Ramji Jivraj Shah

RAMJI JIVRAJ SHAH, *Continuing Partner*
GOSAR RAJPAR SHAH, *Retiring Partner.*

Mombasa, 12th April, 1945.

GENERAL NOTICE No. 669

LABOUR DEPARTMENT—LABOUR BULLETIN FOR QUARTER ENDED 31st MARCH, 1945

TRIBES	REGISTERED NATIVES IN CIVIL EMPLOYMENT					
	31st December, 1944			31st March, 1945		
	Voluntary	Conscript	Total	Voluntary	Conscript	Total
Luo (S.K. and C.K.)	36,956	5,153	42,109	35,689	5,171	40,860
Kisii (and other S.K.)	7,699	1,100	8,799	7,379	1,106	8,485
Bantu Kavirondo (and other N.K.)	41,834	5,118	46,952	41,529	5,546	47,075
Lumbwa	6,385	133	6,518	5,958	133	6,091
Nandi	6,226	37	6,263	6,055	37	6,092
Kikuyu—Fort Hall	19,052	769	19,821	18,379	776	19,155
—Nyeri	20,411	450	20,861	19,535	455	19,990
—Kyambu	16,603	283	16,886	15,987	292	16,279
Meru	11,580	1,426	13,006	11,301	1,497	12,798
Embu	8,275	1,018	9,293	8,130	1,040	9,170
Kamba—Machakos	15,703	840	16,543	15,698	837	16,535
—Kitui	8,887	1,261	10,148	8,654	1,238	9,892
Masai	1,678	—	1,678	1,651	—	1,651
Teita	1,901	31	1,932	1,798	31	1,829
Digo—Duruma	3,877	717	4,594	3,762	915	4,677
Girama	9,295	3,138	12,433	9,116	3,396	12,512
Coastal Tribes	1,502	47	1,549	1,467	47	1,514
Elgeyo—Marakwet	3,223	77	3,300	3,002	77	3,079
Kamasia (Baringo)	2,210	280	2,490	2,033	308	2,341
Suk	1,374	25	1,399	1,290	25	1,315
Turkana	453	—	453	450	—	450
Total Kenya Natives	225,124	21,903	247,027	218,863	22,927	241,790
Non-Kenya Natives	10,545	—	10,545	11,268	—	11,268
TOTAL EMPLOYED	235,669	21,903	257,572	230,131	22,927	253,058

G. WEDDERBURN,
Registrar of Natives

GENERAL NOTICE No. 7

HIS MAJESTY'S SUPREME COURT OF KENYA

NOTICE is hereby given that the following Sessions of His Majesty's Supreme Court of Kenya will be held at the places set out hereunder:—

SUPREME COURT CRIMINAL SESSIONS AT MOMBASA, 13-3-45

- Cr. C. No. 5/45 Rex vs. Rachilo s/o Omeda.
Cr. C. No. 13/45 Rex vs. Mathai s/o Ndana and another.
Cr. C. No. 21/45 Rex vs. Okemwa s/o Oyaró.
Cr. C. No. 26/45 Rex vs. Okongo s/o Othiambo and another.
Cr. C. No. 29/45 Rex vs. Dhao s/o Mawera.

SUPREME COURT CRIMINAL SESSIONS AT MALINDI, 4-4-45

- Cr. C. No. 4/45 Rex vs. Katana wa Lewa.
Cr. C. No. 6/45 Rex vs. Mbonga s/o Yaa.

SUPREME COURT SESSIONS AT NAIROBI, 9-4-45

- Cr. C. No. 213/44 Rex vs. Benedikto Onono s/o Odwaji.
Cr. C. No. 45/45 Rex vs. Sandi Mugeke.
Cr. C. No. 1/45 Rex vs. Mbogwa Ole Pere.

SUPREME COURT SESSIONS AT KISUMU, 11-4-45

- Cr. C. No. 148/44 Rex vs. Sunza s/o Onganyo.
Cr. C. No. 175/44 Rex vs. Ngeywa Kimergiet.
Cr. C. No. 219/44 Rex vs. Chepkwoin arap Chuma.
Cr. C. No. 220/44 Rex vs. Waganda s/o Wamere.
Cr. C. No. 234/44 Rex vs. Onyango s/o Owuor.
Cr. C. No. 14/45 Rex vs. Musunga s/o Seida.
Cr. C. No. 16/45 Rex vs. Murume s/o Nyabolea.
Cr. C. No. 20/45 Rex vs. Omondi s/o Abiero.
Cr. C. No. 25/45 Rex vs. Masese s/o Murimbocho.
Cr. C. No. 28/45 Rex vs. Muniafu s/o Tabani.
Cr. C. No. 31/45 Rex vs. Kemunto w/o Saita.
Cr. C. No. 34/45 Rex vs. Omwono s/o Sigu.
Cr. C. No. 54/45 Rex vs. Waswa s/o Mukibin.

E. J. O'FARRELL, Registrar,
Supreme Court of Kenya.

GENERAL NOTICE No. 670

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

NOTICE is hereby given that the business of tailoring carried on by Shamsdeen Salamshah at Nairobi will be transferred to Padamshi Vaghji Mehta after the expiry of two months from the date of publication hereof.

The address of the transferor is Plot No. 2386, Bazaar Lane, Nairobi, and the address where the transferor carries on business is also Plot No. 2386, Bazaar Lane, Nairobi.

The address and the place where the transferee will carry on business is Plot No. 2593, Indian Bazaar, Nairobi.

The transferee does not assume and does not intend to assume any liability incurred in the business of the transferor.

SHAMSDEEN SALAMSHAH,
Transferor.
PADAMSHI VAGHJI MEHTA,
Transferee.

GENERAL NOTICE No. 671

NOTICE is hereby given that the partnership heretofore subsisting between Jiwan Harji, Mohanlal Meghji Patel and Devraj Popat Shah carrying on business in Stewart Street, Nairobi, in the firm name of "The Drapery Store", has been dissolved by mutual consent as from the 9th day of April, 1945, so far as concerns the said Devraj Popat Shah who retires from the said firm. All debts due to and by the said firm will be received and paid by the said Jiwan Harji and Mohanlal Meghji Patel who will continue to carry on the said business under the same name or style of "The Drapery Store".

MOHANLAL MEGHJI PATEL,
JIWAN HARJI, Continuing Partners.
DEVRAJ POPAT SHAH,
Retiring Partner.

Nairobi, 9th April, 1945.

GENERAL NOTICE No. 672

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

PURSUANT to the above Ordinance, notice is hereby given that the business of blacksmith heretofore carried on by Manji Mulji on premises situate on Grogan Estate, Canal Road, Nairobi, under his own name has been transferred to Gomti Das son of Lala Nand Lal as from the 10th day of April, 1945.

The transferee is not assuming nor is intended to assume any liability whatsoever incurred by the transferor up to and including 10th April, 1945.

MANJI MULJI, Transferor.
GOMTI DAS, Transferee.

Nairobi, 10th April, 1945.

GENERAL NOTICE No. 673

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

NOTICE is hereby given that the business of hardware and general merchants, engineers, blacksmiths, millers, builders, contractors and auctioneers, carried on at Plot No. 15, Section III, Plot No. 14, Section IV, and Plot No. 5, Section XV, Kitale Township, by Albert Barker, under the style of Turner, Barker and Hatfield, has been transferred to Kalidas Gopalji Patel, Ambalal Jivabhai Patel, Gordhandas Madhavji, Laxmidas Desai-bhai Patel, and Chotabhai Shankerbhai Patel, who will continue to carry on business on the same premises under the style of Turner, Barker & Hatfield.

The transferees are not assuming, nor are they intended to assume, any liabilities incurred by the transferor.

ALBERT BARKER, Transferor.
KALIDAS GOPALJI PATEL,
AMBALAL JIVABHAI PATEL,
GORDHANDAS MADHAVJI,
LAXMIDAS DESAIBHAI PATEL,
CHOTABHAI SHANKERBHAI PATEL,
Transferees.Kitale,
4th April, 1945.