



THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

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

Vol. XLVII—No. 50

NAIROBI, November 27, 1945

Price 50 Cents

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

Published every Tuesday

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GOVERNMENT NOTICE No. 986

APPOINTMENTS

GEORGE JAMES ELLERTON to be District Officer, Turkana Dis-
trict, with effect from the 28th October, 1945.

KENNETH GORDON LINDSAY, O.B.E., Provincial Commissioner, to
be Acting Administrative Secretary, Secretariat, with effect
from the 19th of November, 1945.

GORDON BALD HARVEY to be Acting Accountant, Accountant
General's Department, with effect from the 30th August, 1945.

GEORGE GEOFFREY STEELE HUTCHINSON to be Acting Informa-
tion Officer, Kenya, with effect from the 10th November,
1945.

DESMOND BERNARD O'SHEA, M.A. (CANTAB.), A.M.I.C.E., A.M.I.
MUN. & CTY E., A.M.I.M.E., Assistant Engineer, Public Works
Department, to be Divisional Engineer, Public Works Depart-
ment, Mombasa, with effect from 15th November, 1945.

HENRY ERNEST CARRICK, B.Sc., to be Acting Hydraulic Engineer,
Public Works Department, with effect from 5th November,
1945.

REVERSIONS

REGINALD ARTHUR HAWKINS reverted to his substantive rank of
Registrar of Titles with effect from 2nd November, 1945.

ARTHUR PATRICK MANNING reverted to his substantive rank of
Clerk, Grade I (and Assistant Registrar of Titles), with effect
from 9th November, 1945.

E. R. E. SURRIDGE,
Deputy Chief Secretary.

GOVERNMENT NOTICE No. 987

KENYA AND UGANDA RAILWAYS AND HARBOURS

REGINALD PLUMER WALKER assumed the duties of Chief
Accountant with effect from the 19th November, 1945.

JOHN HAROLD BALDWIN, Acting Chief Accountant, reverted to
his substantive rank of Chief Assistant to the General
Manager with effect from the 19th November, 1945.

J. V. LEWIS,
*Acting Secretary to the High Commissioner
for Transport.*

GOVERNMENT NOTICE No. 988

VACANCIES FOR WATER BAILIFFS (TWO)

APPLICATIONS are invited for vacancies in the post of
Water Bailiff in the Public Works 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 15th
December, 1945. Applicants in Government employment should
apply in terms of Secretariat Circular No. 30 of 1944.

The salary scale attached to the post is £500 by £20 to £600,
on Kenya European Civil Service terms of service. Details of
these terms of service, which include contribution to a provident
fund, 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 pension-
able rights and other privileges on an appropriate salary scale.

The duties of the post include the control of African Water
Guards, inspection of rivers, gauging of river flows and con-
trol of water diversions. The persons appointed will be on
safari for most of the time and will be supplied with tentage.

GOVERNMENT NOTICE No. 989

(G. Lnd. 26/10/2/15)

THE LAND CONTROL ORDINANCE, 1944

THE LAND CONTROL APPEAL TRIBUNAL—APPOINTMENTS

IN EXERCISE of the powers conferred upon him by section
35 (1) of the Land Control Ordinance, 1944, His Excellency
the Governor has been pleased to appoint the following—

His Honour Mr. Justice Horne (*Chairman*),
Sir Robert de Vere Shaw, BART., M.C.,
Capt. H. G. Prettejohn,

to be members of the Land Control Appeal Tribunal.

By Command of His Excellency the Governor.

Nairobi,
23rd November, 1945.

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

GOVERNMENT NOTICE NO. 990

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 Transport Licensing Ordinance, 1937

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. 40 of 1937.

Amendment of
section 3 of
the principal
Ordinance.

Validation
of acts.

1. This Ordinance may be cited as the Transport Licensing (Amendment) Ordinance, 1945, and shall be read as one with the Transport Licensing Ordinance, 1937, hereinafter referred to as the principal Ordinance.

2. Section 3 of the principal Ordinance is hereby amended— 6
(a) by deleting sub-section (1) thereof and by substituting therefor the following sub-section:—

“(1) There shall be established a Transport Licensing Board, hereinafter referred to as the Licensing Authority, which shall consist of five persons appointed by the Governor in Council, 10 who shall also appoint one of such persons to be chairman:

Provided that if for any reason the Governor considers it desirable so to do, he may appoint not more than two other persons to be members of the Licensing Authority for any meeting of such Authority. 15

Before the Governor in Council, or the Governor, as the case may be, makes any appointment under the provisions of this sub-section, the person to be so appointed shall be required to declare whether he has any, and if so, what, financial interest in any transport undertaking operating in the Colony.” 20

(b) by deleting the words “The Governor in Council may” which appear in the first line of sub-section (12) thereof and by substituting therefor the following:—

“The chairman of the Licensing Authority may, with the approval of the Governor.”. 25

3. All acts purporting to have been done under the provisions of the principal Ordinance, before the commencement of this Ordinance, by any persons purporting to be acting as chairman or members of a Licensing Authority duly constituted under the provisions of the principal Ordinance, shall be deemed to have been validly done 30 by a chairman and members of the Licensing Authority properly constituted in accordance with the provisions of the principal Ordinance.

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to amend the Transport Licensing Ordinance, 1937, by—

(a) enabling the Governor, if for any reason he considers it desirable so to do, to appoint not more than two persons to be members of the Transport Licensing Board for any meeting of such Board. In the light of experience it is considered desirable to make it possible for persons having special local knowledge to be appointed as temporary members for any meeting of the Board;

(b) enabling officers and servants of the Transport Licensing Board to be appointed by the chairman, with the approval of the Governor, instead of such appointments having to be made by the Governor in Council;

(c) validating acts invalidly done by the Transport Licensing Board by reasons of appointments having, through inadvertence, been allowed to lapse, and persons having been co-opted as members of the Board, a procedure which is not provided for by the principal Ordinance.

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

S. W. P. FOSTER SUTTON,
Nairobi, 21st November, 1945. *Attorney General.*

GOVERNMENT NOTICE NO. 991

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 Excess Profits Tax Ordinance, 1941

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 Excess Profits Tax (Amendment) Ordinance, 1945, and shall be read as one with the Excess Profits Tax Ordinance, 1941, hereinafter referred to as the principal Ordinance. Short title.
No. 14 of 1941.
- 5 2. Sub-section (3) of section 4 of the principal Ordinance is hereby amended by substituting a colon for the full stop, which appears at the end thereof, and by adding thereto the following proviso:— Amendment of
section 4 (3) of
the principal
Ordinance.

“Provided that for the purpose of this sub-section—

 - 10 (i) any business carried on by a Custodian of Enemy Property appointed under the provisions of the Trading with the Enemy Ordinance, 1939, shall be deemed to be carried on by the person, who, but for the operation of the Trading with the Enemy Ordinance, 1939, would have No. 21 of 1939.
15 carried on such business; and No. 21 of 1939.
 - (ii) it shall, except as far as the contrary is proved, be assumed that nothing has occurred since the third day of September, 1939, to change the person, who, but for the operation of the Trading with the Enemy Ordinance, 1939, would have carried on any such business.” No. 21 of 1939.
- 20 3. Sub-section (2) of section 5 of the principal Ordinance is hereby repealed and the following sub-section is substituted therefor:— Repeal and
replacement
of section 5 (2)
of the principal
Ordinance.

“(2) (a) Any accounting period beginning after the first day of July, 1940, and ending on or before the final date, shall be a chargeable accounting period.

(b) Where any accounting period began before the first day of July, 1940, and ended after that date, so much of such accounting period as falls after the thirtieth day of June, 1940, shall be a chargeable accounting period.

(c) Where any accounting period ended after the final date so much of such accounting period as falls within the period ending on the final date shall be a chargeable accounting period.

(d) The final date shall be the thirty-first day of December, 1945:

Provided that the person who was carrying on the business on the first day of January, 1946, may, by notice in writing to the Commissioner, require that the final date shall be—

 - 40 (i) in the case of a business which, under the provisions of sub-section (1) of section 10 of this Ordinance, is deemed to have been discontinued during the year ending the thirty-first day of December, 1946, the date upon which such business is deemed to be discontinued;
 - 45 (ii) in any other case, the thirty-first day of December, 1946, and any such notice may be given at any time before the excess profits tax, payable in respect of such business, has been finally determined in accordance with such provisions as may be hereafter enacted.”
- 50 4. (1) The following new sections, to be numbered sections 23 and 24, respectively, are hereby inserted in the principal Ordinance:— Insertion of new
sections 23 and
24 in the
principal
Ordinance.

“23. (1) Where the Commissioner is of the opinion that the main purpose, or one of the main purposes, for which any transaction or transactions was or were effected was the avoidance or reduction of liability to excess profits tax, he may, if he thinks fit, direct that such adjustments shall be made as respects liability to excess profits tax as he considers appropriate so as to counteract the avoidance or reduction of liability to excess profits tax which would otherwise be effected by such transaction or transactions.

“24. (1) Where the Commissioner is of the opinion that the main purpose, or one of the main purposes, for which any transaction or transactions was or were effected was the avoidance or reduction of liability to excess profits tax, he may, if he thinks fit, direct that such adjustments shall be made as respects liability to excess profits tax as he considers appropriate so as to counteract the avoidance or reduction of liability to excess profits tax which would otherwise be effected by such transaction or transactions.

Transactions
designed to
avoid excess
profits tax.

(2) If it appears in the case of any transaction or transactions, being a transaction which involves or transactions one or more of which involve—

- (a) the transfer or acquisition of shares in a company; or
- (b) a change in the person or persons carrying on a business 5
or part of a business,

that, having regard to the provisions of this Ordinance, other than the provisions of this section, which were in force at the time the transaction or transactions was or were effected, the main benefit which might be expected to accrue from such 10 transaction or transactions during the currency of excess profits tax was avoidance or reduction of liability to the tax, the avoidance or reduction of liability to excess profits tax shall be deemed for the purposes of this section to have been the main purpose, or one of the main purposes, of such transaction or 15 transactions.

(3) Without prejudice to the generality of the powers conferred by sub-section (1) of this section, the powers conferred thereby extend—

- (a) to the charging with excess profits tax of persons who, 20
but for the adjustments, would not be chargeable with any tax, or would not be chargeable to the same extent;
- (b) to the charging of a greater amount of tax than would be chargeable but for the adjustments.

(4) Any person aggrieved by a direction of the Commis- 25
sioner under the provisions of this section may appeal to a Local Committee or a Judge (as if an assessment to excess profits tax had been made upon him), whether on the ground that the avoidance or reduction of liability to excess profits tax was not the main purpose or one of the main purposes of the transaction 30
or transactions, or on the ground that no direction ought to have been given, or that the adjustments directed to be made are inappropriate.

Schedule of
trading stock to
be delivered.

24. Where the accounts of any business in respect of which excess profits tax is chargeable under the provisions of this 35
Ordinance, are made up for any accounting period which ended on or after the thirty-first day of December, 1945, and which includes the whole or any part of a chargeable accounting period, the person carrying on the business on the last day of such accounting period shall prepare and deliver to the Com- 40
missioner within two months after the end of such accounting period, or within such further period as the Commissioner may allow, a schedule of the whole of the trading stock of the business in hand on the date to which the accounts have been made up. Such schedule shall set out the quantities and usual 45
description of each item or class of such stock and the cost price thereof:

Provided that—

- (a) where, having regard to the nature of the trading stock, or of the business carried on, the Commissioner is satis- 50
fied that it is not practicable to ascertain the exact cost of the trading stock, the cost price shall be estimated on such basis as the Commissioner may determine;
- (b) the Commissioner may, in his discretion, require production of the stock list or books of the business in lieu of 55
the delivery of such schedule."

(2) The provisions of section 23 shall be deemed always to have had effect.

Repeal of
section 22 of
the principal
Ordinance.

5. Section 22 of the principal Ordinance is hereby repealed.

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to provide for the first stage of the winding up of Excess Profits Tax.

The Bill deals with—

- (a) Businesses carried on by the Custodian of Enemy Property.
- (b) The final chargeable accounting period for the purpose of the tax.
- (c) New provisions to prevent tax avoidance.
- (d) Provision for stock-in-trade to be taken at the final accounting period.

Clause 2 seeks to amend the law in respect of profits arising from businesses carried on by the Custodian of Enemy Property. Section 4 (3) of the Principal Ordinance requires all businesses carried on by

the same person to be treated as one business. This means that all businesses carried on by the Custodian of Enemy Property will be treated as one business only for Excess Profits Tax purposes, and only one pre-war standard is available. This is obviously incorrect, and it is proposed to add a proviso to section 4 (3) to the effect that where a business is carried on by the Custodian it shall be deemed for the purpose of that sub-section only to be carried on by the person who, but for the operation of the Trading with the Enemy Ordinance, would have carried it on. It follows that provision must also be made that, except where the contrary is proved, the person who was carrying on the business at the time it was taken over by the Custodian is assumed to be the person carrying on such business.

Clause 3 seeks to provide for the termination of the charge of Excess Profits Tax. Under clause 5, section 22 of the principal Ordinance is to be repealed, and clause 3 will provide that the tax shall be payable on profits earned from the 1st July, 1940, up to the 31st December, 1945. Where, however, the person carrying on a business wishes to claim relief in respect of deficiencies of profits in 1946 he may elect the final period to be the year ending 31st December, 1946, and make a claim accordingly. It is also necessary to provide for cases in which businesses cease to be carried on during 1946; in such cases the final date will be the date upon which the business ceased to be carried on.

Clause 4 seeks to introduce into the principal Ordinance similar legislation to that which has been enacted in the United Kingdom by section 35 of the Finance Act, 1941, as amended by section 33 of the Finance Act, 1944; it is designed to prevent legal avoidance of the tax. There are a number of businesses which are liable to Excess Profits Tax in the United Kingdom and in Kenya, and it seems right that if the United Kingdom provisions are applied in the United Kingdom they should similarly be applied in assessing the tax in Kenya. In addition, cases are now arising locally in which taxpayers have made transactions with the object of avoiding payment of the tax, and it is desirable to strengthen the law to prevent such evasion.

Where the main purpose, or one of the main purposes for which transactions were entered into was the avoidance or reduction of liability to Excess Profits Tax, the Commissioner will have power to make such adjustments of the liability to Excess Profits Tax as will counteract the avoidance or reduction of the tax which would otherwise be effected. Further, where the transactions involve the transfer or acquisition of shares in a company, or changes in the persons carrying on a business, he may make similar adjustments if the main benefit expected to accrue from the transaction is the avoidance or reduction of liability to the tax. Full provision is made for an appeal either to the Local Committee or a Judge in the same way as if an assessment to Excess Profits Tax had been made on the person concerned. It is proposed that the new section shall apply to all transactions throughout the life of Excess Profits Tax.

The new clause 24 seeks to require an accurate stocktaking to be taken, in all businesses liable to Excess Profits Tax, at the end of the final accounting period. The stock is required to be taken at cost, but where cost cannot be accurately stated the Commissioner may accept the usual basis adopted in the trade concerned, for ascertaining the cost. The values will not necessarily be the same as those adopted in the taxpayers' own accounts, but if a writing-down in the value of stock is necessary for tax purposes it can be examined in relation to the cost price. Further, it may be necessary at a later date to provide some relief in respect of trading stocks on hand when Excess Profits Tax terminates. Schedules of stock which are required under this clause will enable such claims to be dealt with. There will be cases in which, owing to the volume of stock, it would not be reasonable to ask the person carrying on the business to supply such schedules, and in such cases the Commissioner will have discretion to require production of the books instead.

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

It is important to note that this Bill deals with the first stages of the winding up of Excess Profits Tax, only. There are a large number of other matters which will require to be included in a final winding up Bill, which will be introduced into Legislative Council in 1946.

S. W. P. FOSTER SUTTON,
Nairobi, 23rd November, 1945. *Attorney General.*

GOVERNMENT NOTICE No. 992

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 Control the Sale, Cultivation and Consumption of Miraa

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 Miraa Control Ordinance, 1945, and shall come into operation on such date as the Governor may appoint in that behalf by Proclamation to be published in the Gazette.

Interpretation.

2. In this Ordinance, unless the context otherwise requires—
“miraa” means the shrub *catha edulis*, and includes any tree, plant, leaf, stem, shoot or any derivative or alkaloid thereof. 5

Sale, cultivation, consumption and possession of miraa prohibited.

3. (1) Any person, other than a native who has been granted a written permit under the provisions of sub-section (2) of this section, who— 10

(a) cultivates or plants miraa, or being the occupier of any land allows any miraa tree or plant to grow or to be upon such land;

(b) sells or otherwise deals in miraa;

(c) consumes, or is in possession of, any miraa, 15

shall be guilty of an offence and shall on conviction therefor, by a subordinate court of the first or second class, be liable to a fine not exceeding two thousand shillings or to imprisonment for a period not exceeding twelve months or to both such fine and such imprisonment, and the court may order that any miraa which is found in the 20 possession of such person shall be destroyed; and if any miraa trees or plants are growing upon any land in the occupation of such person the court may order that they be destroyed.

(2) Subject to any general or special directions of the Provincial Commissioner of the Central Province any Native Authority within 25 the Meru District may grant to any native of the Meru District, residing within such district, a permit in writing—

(a) to cultivate or plant miraa within the Meru District, or being the occupier of any land within the Meru District to allow miraa trees or plants to grow or to be upon such land; 30

(b) to sell or otherwise deal in miraa within the Meru District;

(c) within the Meru District, to consume, or to be in possession of, miraa:

Provided that no permit granted under the provisions of this sub-section shall authorize any person to sell or supply miraa to any 35 native of the Meru District who is below the age grade known as *miriti* or any other age grade which the Provincial Commissioner of the Central Province, by notice published in the Gazette, may specify.

(3) In granting any permit under the provisions of sub-section (2) of this section a Native Authority may, subject to any general or 40 special directions of the Provincial Commissioner, impose such conditions as it may think fit.

Penalties for the contravention of any conditions contained in a permit.

4. Any native who contravenes or fails to comply with any condition contained in any permit granted to him under the provisions of sub-section (2) of section 3 of this Ordinance shall be guilty of an 45 offence, and on conviction therefor shall be liable to a fine not exceeding five hundred shillings or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment; and without prejudice to any other penalty which may be imposed under the provisions of this section the court may order— 50

(a) that any miraa found in possession of such person be destroyed;

(b) that any miraa trees or plants found growing on any land in the occupation of such person be destroyed;

(c) that the costs of carrying out any order made under the 55 provisions of paragraph (b) of this section be paid by such person, and in default of such payment that such person be imprisoned for a period not exceeding one month.

Offences cognizable to the Police.

5. All offences under this Ordinance shall be cognizable to the Police.

MEMORANDUM OF OBJECTS AND REASONS

The Government has been advised that miraa, i.e. the shrub *catha edulis*, is a stimulant narcotic and that in man its alkaloids (Cathine, Cathinine, and Cathidine) act chiefly on the cerebrum and the spinal cord, causing stimulation and excitement, according to dose, and progressive mental deterioration in the case of the addict. Its use as a stimulant is increasing rapidly. That being so, it was considered desirable to introduce this Bill, which seeks, by clause 3, to make it an offence for any person, other than a native who has been granted a written permit under the provisions of sub-clause (2) of the clause—

- (a) to cultivate or plant miraa, or being the occupier of any land to allow any miraa tree or plant to grow or to be upon such land;
- (b) to sell or otherwise deal in miraa;
- (c) to consume, or to be in possession of, any miraa.

Sub-clause (2) of clause 3 seeks to authorize any Native Authority within the Meru District, subject to any general or special directions of the Provincial Commissioner of the Central Province, to grant to any native of the Meru District, residing within such district, a permit in writing—

- (a) to cultivate or plant miraa within the Meru District, or being the occupier of any land within the Meru District to allow miraa trees or plants to grow or to be upon such land;
- (b) to sell or otherwise deal in miraa within the Meru District;
- (c) within the Meru District, to consume, or to be in possession of, miraa.

The sub-clause contains a proviso which seeks to limit the granting of such permits to natives of the Meru District of the age grade known as *miriti* or any other age grade which the Provincial Commissioner of the Central Province, by notice published in the Gazette, may specify. It is considered desirable to allow such permits to be issued for the reason that miraa has, from time immemorial, had a place in the tribal customs of natives of the Meru District, where its use has, however, been limited to certain age grades.

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

S. W. P. FOSTER SUTTON,
Attorney General.

Nairobi, 20th November, 1945.

GOVERNMENT NOTICE NO. 993

THE COURTS ORDINANCE

APPOINTMENT

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 day of November, 1945—

J. BIRD

to be a Magistrate of the Third Class in the Colony in respect only of matters arising out of the Employment of Servants Ordinance (Ordinance No. II of 1938), the Resident Labourers Ordinance (Ordinance No. XXX of 1937), and the Native Registration Ordinance (Chapter 127 of the Revised Edition), and any amendments to the said Ordinances and to exercise in respect of the said Ordinances all the powers of a Magistrate of the Third Class save only that he shall not have power to try offences against any of the provisions of the said Ordinances.

By Command of His Excellency the Governor.

Nairobi,

21st November, 1945.

E. R. E. SURRIDGE,

for Chief Secretary.

GOVERNMENT NOTICE NO. 994

THE COURTS ORDINANCE

APPOINTMENT

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 day of November, 1945—

W. L. S. HOLDER

to be a Magistrate of the Third Class in the Colony in respect only of matters arising out of the Employment of Servants Ordinance (Ordinance No. II of 1938), the Resident Labourers Ordinance (Ordinance No. XXX of 1937), and the Native Registration Ordinance (Chapter 127 of the Revised Edition), and any amendments to the said Ordinances and to exercise in respect of the said Ordinances all the powers of a Magistrate of the Third Class save only that he shall not have power to try offences against any of the provisions of the said Ordinances.

By Command of His Excellency the Governor.

Nairobi,

21st November, 1945.

E. R. E. SURRIDGE,

for Chief Secretary.

GOVERNMENT NOTICE NO. 995

THE COURTS ORDINANCE

APPOINTMENT

IN EXERCISE of the powers conferred upon him by section 6 of the Courts Ordinance, 1931, His Excellency the Acting Governor has been pleased to appoint with effect from the 12th day of November, 1945—

GEORGE CARLOS MALCOLM DOWSON

to be a Magistrate of the First Class, with powers to hold a Subordinate Court of the First Class in the Coast Province, whilst holding his present appointment as District Officer, Kilifi District, Coast Province.

By Command of His Excellency the Acting Governor.

Nairobi,

17th November, 1945.

E. R. E. SURRIDGE,

Acting Chief Secretary.

GOVERNMENT NOTICE NO. 996

THE COURTS ORDINANCE

APPOINTMENT

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 23rd day of November, 1945—

COMMANDER WALTER JOHN CARTER, R.N. (Retired)

to be a Magistrate—

- (a) with powers to hold a Subordinate Court of the Third Class in the Trans Nzoia District of the Rift Valley Province; and
- (b) with powers to hold a Subordinate Court of the Second Class in the Trans Nzoia District of the Rift Valley Province 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,

23rd November, 1945.

E. R. E. SURRIDGE,

for Chief Secretary.

GOVERNMENT NOTICE No. 997 (E. 7/1/6/17/II)

THE COURTS ORDINANCE

APPOINTMENT

IN EXERCISE of the power conferred upon him by section 6 of the Courts Ordinance, 1931, His Excellency the Governor has been pleased to appoint the following to be a Labour Officer—

A. R. SWIFT, ESQ.

and to be a Magistrate to hold a Subordinate Court of the Third Class in the Colony in respect only in matters arising out of the Employment of Servants Ordinance (Ordinance No. II of 1938), the Resident Native Labourers Ordinance (No. 30 of 1937), and the Native Registration Ordinance (Chapter 127 of the Revised Edition), and any amendments to the said Ordinance and to exercise in respect of the said Ordinances all the powers of a Magistrate of the Third Class, save only that he shall not have power to try offences against any of the provisions of the said Ordinance with effect from 11th July, 1945.

By Order of His Excellency the Governor.

Nairobi, E. R. E. SURRIDGE,
22nd November, 1945. for Chief Secretary.

GOVERNMENT NOTICE No. 998

APPOINTMENT

GEORGE JAMES ROBBINS, Barrister-at-Law, to be Acting Crown Counsel for the purpose of conducting the undermentioned case:—

Supreme Court Civil Case No. 119 of 1945—The Commissioner of Lands vs. Odhavji Kanji.

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

GOVERNMENT NOTICE No. 999

THE COMPULSORY NATIONAL SERVICE (AUXILIARY POLICE FORCE) REGULATIONS

APPOINTMENTS RESCINDED

IN EXERCISE of the powers conferred upon me by sub-regulation (2) of Regulation 7 of the Compulsory National Service (Auxiliary Police Force) Regulations, 1944, I, William Sutherland Gulloch, Commissioner of Police, with the approval of His Excellency the Governor, do hereby rescind the appointments of—

Major C. R. Redhead,
H. G. Prettyjohn, Esq.,
Captain S. Gillet,

to be District Commandants, with effect from the 1st day of November, 1945.

The Schedule to Government Notice No. 1036 dated the 9th day of December, 1944, is hereby varied accordingly.

Nairobi, W. S. GULLOCH,
20th November, 1945. Commissioner of Police.

GOVERNMENT NOTICE No. 1000

THE COMPULSORY NATIONAL SERVICE (AUXILIARY POLICE FORCE) REGULATIONS

APPOINTMENTS

IN EXERCISE of the powers conferred upon me by sub-regulation (2) of Regulation 7 of the Compulsory National Service (Auxiliary Police Force) Regulations, 1944, I, William Sutherland Gulloch, Commissioner of Police, with the approval of His Excellency the Governor, do hereby appoint each of the persons named in the first column of the Schedule hereto to be a District Commandant in the district set out respectively in the second column of the said Schedule, with effect from the date respectively specified in the third column of the said Schedule.

Nairobi, W. S. GULLOCH,
20th November, 1945. Commissioner of Police.

SCHEDULE

First Column	Second Column	Third Column
District Commandant	District	With effect from
R. D. Southon, Esq.	Nakuru	1st November, 1945
H. Clark, Esq.	Nyeri	1st November, 1945
C. D. Williams, Esq.	Kiambu	1st November, 1945
Major R. P. Pretty..	Uasin Gishu	1st November, 1945

GOVERNMENT NOTICE No. 1001 (S/E. 7/1/1/27)

EUROPEAN CIVIL SERVICE ADVISORY BOARD

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

W. A. KNIGHT, ESQUIRE

to be a member of the European Civil Service Advisory Board with effect from the 12th of November, 1945, vice A. C. Spurling, Esquire.

Government Notice No. 425 of the 27th day of April, 1945, is varied accordingly.

Nairobi, E. R. E. SURRIDGE,
21st November, 1945. for Chief Secretary.

GOVERNMENT NOTICE No. 1002 (Min. 26/13/4/1)

THE MINING ORDINANCE

PROSPECTING AND MINING AREA

IN EXERCISE of the powers conferred upon him by section 17 of the Mining Ordinance, 1940, His Excellency the Governor has been pleased to declare that the areas mentioned in the Schedule hereto, and excluded from prospecting and mining under Government Notice No. 500 of the 27th day of May, 1943, shall be deemed to have been reopened with effect from the 1st day of July, 1943, to prospecting and mining and that such areas shall, as from that date be prospected and mined in accordance with a Special Licence: Provided that such reopening shall not affect any prospecting or mineral right granted before and existing at such date in respect of the said areas or any portion thereof.

Government Notice No. 500 of the 27th day of May, 1943, is hereby cancelled with effect from the 1st day of July, 1943.

Government Notice No. 942 of the 10th day of November, 1945, is hereby amended by the deletion of the figures and words "No. 500 of the 27th day of May, 1943" in lines two and three of paragraph two of the Notice and by the deletion of paragraph (3) of the Schedule thereto.

SCHEDULE

Two areas of (approximately) 2.1 square miles and 0.8 square miles respectively, situated in the North Kavirondo District of the Nyanza Province and more particularly described in the Schedule to Government Notice No. 500 of the 27th day of May, 1943.

By Command of His Excellency the Governor.

Nairobi, E. R. E. SURRIDGE,
23rd November, 1945. for Chief Secretary.

GOVERNMENT NOTICE No. 1003 (Min. 26/13/4/1)

THE MINING ORDINANCE

PROSPECTING AND MINING AREA

IN EXERCISE of the powers conferred upon him by section 17 of the Mining Ordinance, 1940, His Excellency the Governor has been pleased to declare that the areas mentioned in the Schedule hereto shall be reopened with effect from the 29th day of November, 1945, to prospecting and mining, and that such areas shall be prospected and mined in accordance with the provisions of the Mining Ordinance, 1940, and the Mining Regulations, 1940: Provided that such reopening shall not affect any prospecting or mineral rights granted before and existing at such date in respect of the said areas or any portion thereof.

Government Notices No. 1052 of the 24th day of November, 1942, and No. 254 of the 4th day of March, 1941, are hereby cancelled with effect from the 29th day of November, 1945.

SCHEDULE

(1) An area of (approximately) 8,200 square miles situated partly in the Central Province, partly in the Rift Valley Province, and partly in the Northern Frontier District and more particularly described in the Schedule to Government Notice No. 1052 of the 24th November, 1942. Except such portions of the area as are already closed to prospecting and mining by virtue of Government Notice No. 908 of the 3rd day of December, 1937.

(2) An area of (approximately) 296 acres situated in the North Kavirondo District of the Nyanza Province and more particularly described in the Schedule to Government Notice No. 254 of the 4th day of March, 1941.

By Command of His Excellency the Governor.

Nairobi, E. R. E. SURRIDGE,
23rd November, 1945. for Chief Secretary.

GOVERNMENT NOTICE No. 1004 (Rec. 80/Vol. V)

THE DEFENCE (AFRICAN LABOUR FOR ESSENTIAL UNDERTAKINGS) REGULATIONS, 1944

TERMINATION OF CONSCRIPTION

THE following arrangements have been made for the termination of conscription:—

(1) No further compulsory labour will be recruited after 31st December, 1945.

(2) Labour on contract at that date will complete its period of service subject to the limitation that this service will not extend beyond the following dates—

- (a) in the case of sisal and essential foodstuffs for local consumption (including sugar)—30th September, 1946;
- (b) in the case of other essential undertakings (including flax, rubber, etc.)—31st March, 1946.

Nairobi, E. R. E. SURRIDGE,
26th November, 1945. for Chief Secretary.

GENERAL NOTICE No. 1778

NYANZA LIQUOR LICENSING COURT

A SPECIAL meeting of the Court will be held at the office of the District Commissioner, Kisumu-Londiani, Kisumu, at 11 a.m. on Friday, 28th December, 1945, to consider the following application:—

Wine Merchants and Grocers Licence

Messrs. Shivalal & Sons, Kisumu.
Kisumu, J. H. B. MURPHY, Chairman,
20th November, 1945. Nyanza Liquor Licensing Court.

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 SESSIONS AT ELDORET, 20-11-45

- Cr. C. No. 164/45 Rex vs. William Walter Quentin Thom.
 Cr. C. No. 171/45 Rex vs. William Walter Quentin Thom.
 Cr. C. No. 114/45 Rex vs. Munialo s/o Wishiamina.
 Cr. C. No. 134/45 Rex vs. Kaino arap Cheboggi.
 Cr. C. No. 135/45 Rex vs. Chebor arap Yego.
 Cr. C. No. 137/45 Rex vs. Omondi s/o Oyiengo.
 Cr. C. No. 176/45 Rex vs. Edward Chelanga arap Kaino.
 Cr. C. No. 179/45 Rex vs. Kingori wa Gakuha and another.
 Cr. C. No. 183/45 Rex vs. Chepto arap Kabarak.
 Cr. C. No. 184/45 Rex vs. Kipchumba arap Sagui.
 Cr. C. No. 195/45 Rex vs. Kiprop arap Kiblagat and another.
 Cr. C. No. 198/45 Rex vs. Loicheta were Abwale.
 Cr. C. No. 224/45 Rex vs. Kiptorus arap Mutwor.
 C. A. No. 6/45 Ahmed Kassam vs. Shah Zaverchand Virpal and another.

Chambers at 9.30 a.m.—

- C. C. No. 1/45 Albert Thomas Hernon as executor of the estate of the late second Earl Kitchener vs. Florus Petrus Jacobus De Meyer (Jnr.).
 C. C. No. 12/34 Dalgety & Co., Ltd. vs. W. A. L. Spencer.
 C. C. No. 8/45 In the matter of the Adoption of Children Ordinance, 1933, and in the matter of John Edmund of Eldoret, an infant.

In Court at 10 a.m. for Hearing—

- C. C. No. 8/44 Fatuma binti Mohamed vs. Hamud Aden.
 C. C. No. 3/45 Sher Mohamed vs. Rahim Bux.

SUPREME COURT SESSIONS AT NAIROBI, 3-12-45

- Cr. C. No. 150/45 Rex vs. Mbubi s/o Kikubi.
 Cr. C. No. 189/45 Rex vs. Athumani s/o Bakari *alias* Athumani Malenga.
 Cr. C. No. 160/45 Rex vs. Omolo s/o Ndolo.
 Cr. C. No. 221/45 Rex vs. Atanasi s/o Isingoma.

SUPREME COURT SESSIONS AT KITALE, 5-12-45

- Cr. C. No. 168/45 Rex vs. Wangole s/o Abuyi and another.
 Cr. C. No. 142/45 Rex vs. Murunga s/o Mirinyanga.
 Cr. C. No. 206/45 Rex vs. Wekesa s/o Wafula and another.
 Cr. C. No. 226/45 Rex vs. Lucia Lithambu d/o Zakania.
 Cr. C. No. 229/45 Rex vs. Makomi s/o Chamandare and another.

SUPREME COURT SESSIONS AT NAKURU, 6-12-45

- Cr. C. No. 46/45 Rex vs. Solean ole Gilgil and four others.
 Cr. C. No. 62/45 Rex vs. Lokilou Lemandan.
 Cr. C. No. 75/45 Rex vs. Eoi Lenyokopiro.
 Cr. C. No. 113/45 Rex vs. Sgt. Okoth Arum and two others.
 Cr. C. No. 145/45 Rex vs. Kiptony arap Cheptubei.
 Cr. C. No. 153/45 Rex vs. Sowe arap Cheruyot.
 Cr. C. No. 154/45 Rex vs. Kisanya s/o Arodi.
 Cr. C. No. 156/45 Rex vs. Kibura s/o Gichome.
 Cr. C. No. 157/45 Rex vs. Gitau s/o Njoro.
 Cr. C. No. 165/45 Rex vs. Katumu wa Njugu.
 Cr. C. No. 166/45 Rex vs. Kinanjui s/o Kinothia.
 Cr. C. No. 169/45 Rex vs. Richard Odinga s/o Obor.
 Cr. C. No. 185/45 Rex vs. Mbogwa wa Kerige.
 Cr. C. No. 188/45 Rex vs. Lokwawoi s/o Moya.
 Cr. C. No. 197/45 Rex vs. Mwangi s/o Mureithi.
 Cr. C. No. 199/45 Rex vs. Chebet arap Chepkurgat.
 Cr. C. No. 207/45 Rex vs. Karanja wa Mbio.
 Cr. C. No. 214/45 Rex vs. Lekeum ole Marima and three others.

- Cr. C. No. 223/45 Rex vs. Chirchir arap Kipkoech.
 Cr. C. No. 212/45 Rex vs. Giovanni Presante.

In Court at 10 a.m. for Hearing—

- D. C. No. 2/44 Erica Konstant vs. Antoin Konstant.
 C. C. No. 3/45 J. O. P. Visagie, J. Van Rensburg, J. N. Pieters and The East African Lands & Development Co., Ltd. vs. J. S. Blanche.
 C. C. No. 4/45 John Ngure s/o Nganga vs. Watenga s/o Ndarwa.
 C. C. No. 2/45 Highland Garage, Ltd. vs. Manohar Lal Shambu Narayan.

For Entering Final Judgment—In Court at 10 a.m.—

- C. C. No. 9/41 Muta Darata and three others vs. Rugnath Jeram.

In Chambers at 9.30 a.m.—

- C. C. No. 7/44 Kamau Wambuku vs. Muhoro Kabutoo.

SUPREME COURT SESSIONS AT KISUMU, 7-1-46

- Cr. C. No. 120/45 Rex vs. Manguya s/o Namwano.
 Cr. C. No. 130/45 Rex vs. Kiptum arap Chepkwain.
 Cr. C. No. 141/45 Rex vs. Karioki wa Gichuki.
 Cr. C. No. 161/45 Rex vs. Chenje s/o Chacha.
 Cr. C. No. 174/45 Rex vs. Jakech s/o Midia.
 Cr. C. No. 175/45 Rex vs. Gura s/o Yoga.
 Cr. C. No. 187/45 Rex vs. Cheruyot arap Sang.
 Cr. C. No. 191/45 Rex vs. Wadego Daya.
 Cr. C. No. 193/45 Rex vs. Elisa s/o Emare.
 Cr. C. No. 208/45 Rex vs. Mathias s/o Oduari and two others.
 Cr. C. No. 218/45 Rex vs. Sukuli s/o Abuoli.
 Cr. C. No. 196/45 Rex vs. Osambo s/o Apiyo.
 Cr. C. No. 158/45 Rex vs. Onoka s/o Nyamolo.
 Cr. C. No. 225/45 Rex vs. Osambo s/o Apiyo.
 Cr. C. No. 233/45 Rex vs. Kilowen ole Kisoso.

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

GENERAL NOTICE No. 1779

THE WAR LOAN ORDINANCE, 1940

LOSS OF BOND CERTIFICATE

IN PURSUANCE of the provision of Regulation 17 (2) of the War Loan Regulations, 1940, notice is hereby given that 2½ per cent East African War Bonds Certificate No. 4314 for £5 of 1949/51 Loan, Series "B", issued in the name of Mr. Juma Mwalim, has been lost and that it is proposed after the expiration of thirty days from the date of this notice to issue a duplicate of such certificate.

The Treasury, Nairobi,
 20th November, 1945.

H. J. WEBSTER,
 Accountant General.

GENERAL NOTICE No. 1780

THE WATER ORDINANCE, 1929

Njoro River, Nakuru District

APPLICATION by Mrs. E. Skelton of Njoro for a Water Right from the Njoro River on a portion of L.R. No. 1865/2 for 510 gallons per day for the purpose of domestic use.

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 662, Nairobi, within thirty days from the date of publication of this notice, and a copy served on the undersigned.

EUGENIE SKELTON, Applicant,
 P.O. Njoro.

GENERAL NOTICE No. 1781

THE WATER ORDINANCE, 1929

Naro Moru River, Nanyuki District

APPLICATION by Mrs. R. Bamber of Nanyuki for a Water Sanction from the Naro Moru River on L.R. No. 4159/R for 140 and 1,000 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 Aberdare District Council, Nanyuki.

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.

RACHEL BAMBER, Applicant,
 P.O. Nanyuki.

GENERAL NOTICE No. 1782

THE WATER ORDINANCE, 1929

Thika River, Thika District

APPLICATION by A. & S. Block Investment Trust, Ltd., of Nairobi for a Water Right from the Thika River on L.R. No. 298/9 for 4.8 cusecs (returnable) for the purpose of generating electricity.

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.

A. & S. Block Investment Trust, Ltd.,
 D. TATE, Secretary,
 Lawfully Authorized Agent,
 P.O. Box 92, Nairobi.

GENERAL NOTICE No. 1783

THE WATER ORDINANCE, 1929

Chania River, Nakuru District

APPLICATION by R. Meeson of Eldoret for a Water Right from the Chania River, Nakuru District, on L.R. No. 1087/19, for net quantities of 1,000 and 1,000 gallons per day for the purpose of domestic use and minor irrigation.

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 662, Nairobi, within thirty days from the date of publication of this notice, and a copy served on the undersigned.

ROGER MEESON, Applicant,
 P.O. Box 22, Eldoret.

GENERAL NOTICE No. 1784

THE WATER ORDINANCE, 1929

Mweiga River, Nyeri District

APPLICATION by Mrs. E. B. Davies of Mweiga for a Water Right from the Mweiga River on L.R. No. 7207 for 2,100 gallons per day for the purpose of domestic use.

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

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.

R. C. DAVIES, Lawfully Authorized Agent,
 Simbarra, P.O. Mweiga, Nyeri.

GENERAL NOTICE No. 1785

THE WATER ORDINANCE, 1929

Tributary of Olabanaita River, Nakuru District

APPLICATION by E. and K. McInnes of Kisii for a Water Right from a tributary of the Olabanaita River on L.R. No. 3660/R for 900 gallons per day for the purpose of domestic use.

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 662, Nairobi, within thirty days from the date of publication of this notice, and a copy served on the undersigned.

E. McINNES, Applicant,
P.O. Kisii, via Kisumu.

GENERAL NOTICE No. 1786

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

CAUSE No. 8 OF 1942

Notice of application for letters of administration intestate of the estate of Mavji Lalji, late of Kisumu, deceased

TAKE NOTICE that application having been made in this Court by Dayakunver Vithalji of Kisumu in the Colony of Kenya for letters of administration intestate of the estate of Mavji Lalji, late of Kisumu, who died at Kisumu on the 22nd day of May, 1942, 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 11th day of December, 1945.

H. G. ELPHINSTONE,
Acting District Delegate,
Kisumu, Nyanza Province, Kisumu.
16th November, 1945.

GENERAL NOTICE No. 1787

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

CAUSE No. 44 OF 1945

Notice of application for letters of administration intestate of the estate of Zayana binti Ali bin Abdulla, late of Mjiwakale, Mombasa, Kenya Protectorate, deceased.

TAKE NOTICE that application having been made in this Court by Salim bin Swaleh bin Hussein of Mombasa, Kenya Protectorate, for letters of administration intestate of the estate of Zayana binti Ali bin Abdulla, late of Mjiwakale aforesaid, who died at Mombasa on the 23rd day of July, 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 11th day of December, 1945.

J. A. ANGUS,
Acting District Registrar,
Mombasa, H.M. Supreme Court of Kenya.
19th November, 1945.

GENERAL NOTICE No. 1788

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

CAUSE No. 49 OF 1945

Notice of application for probate of the will of Haji Warsama Yusuf, late of Mombasa, Kenya Protectorate, deceased

TAKE NOTICE that application having been made in this Court by Hersi Ali Dulbahanti of Mombasa, Kenya Protectorate, for probate of the will of Haji Warsama Yusuf, late of Mombasa aforesaid, who died at Mombasa on the 22nd day of September, 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 11th day of December, 1945.

J. A. ANGUS,
Acting District Registrar,
Mombasa, H.M. Supreme Court of Kenya.
21st November, 1945.

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

GENERAL NOTICE No. 1789

IN THE SUPREME COURT AT NAIROBI
PROBATE AND ADMINISTRATION

CAUSE No. 181 OF 1945

Notice of application for administration of estate of Nand Singh s/o Harnam Singh, late of Nairobi, deceased

TAKE NOTICE that application having been made in this Court by Harbhajan Singh s/o Nand Singh and Swarn Singh s/o Nand Singh, the sons of the deceased, both of Nairobi, for letters of administration of the estate of Nand Singh s/o Harnam Singh, late of Nairobi, who died intestate at Kot-Garhwal, Dist. Jallunder, India, on the 3rd day of March, 1942, 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 11th day of December, 1945.

E. J. O'FARRELL,
Registrar,
Nairobi, 23rd November, 1945.

GENERAL NOTICE No. 1790

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

CAUSE No. 50 OF 1945

Notice of application for probate of the will of Farah binti Yislam bin Abdulla Balleith, late of Mombasa, Kenya Protectorate, deceased.

TAKE NOTICE that application having been made in this Court by Shariff Husein bin Awadh Shatry of Mombasa, Kenya Protectorate, for probate of the will of Farah binti Yislam bin Abdulla Balleith, late of Mombasa aforesaid, who died at Mombasa on the 11th day of October, 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 11th day of December, 1945.

J. A. ANGUS,
Acting District Registrar,
Mombasa, 21st November, 1945. H.M. Supreme Court of Kenya.

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

GENERAL NOTICE No. 1791

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI
PROBATE AND ADMINISTRATION

CAUSE No. 180 OF 1945

Notice of application for probate of the will of Lt.-Col. William George Evans, late of Nairobi, deceased

TAKE NOTICE that application having been made in this Court by Jack Courtenay Green of Nairobi for probate of the will of Lt.-Col. William George Evans, late of Nairobi, who died at Nairobi on the 6th day of November, 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 11th day of December, 1945.

E. J. O'FARRELL,
Registrar,
Nairobi, 21st November, 1945.

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

GENERAL NOTICE No. 1792

PROBATE AND ADMINISTRATION

In the matter of the estate of Tom Burwood Berrett, deceased

TAKE NOTICE that all persons having any claims against the estate of the above-named Tom Burwood Berrett, who died at Mitubiri, Kenya Colony, on the 11th day of September, 1945, are required to prove such claims before us on or before the 12th day of December, 1945, and all persons owing money to the said deceased are required to pay such moneys to us on or before the said 12th day of December, 1945.

DACRE A. SHAW & BUCKLEY,
Advocates for the Executor of the will
of the deceased,
Nairobi, P.O. Box 481, Nairobi.
20th November, 1945.

GENERAL NOTICE No. 1793

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No. 149 OF 1945

In the matter of the estate of George Frederic McConnel, deceased

PURSUANT to an Order of His Majesty's Supreme Court at Nairobi dated the 24th day of October, 1945, whereby grant of probate of the will of the above deceased was granted to Gwladys Muriel Dorrington.

Take notice that all persons having any claims against the estate of the above-named deceased, who died at Limuru on the 13th day of May, 1945, are required to lodge and prove such claims with the undersigned on or before the 23rd day of December next, after which date the claims which have been so proved will be paid and the estate distributed according to law.

HAMILTON, HARRISON & MATHEWS,
Advocates for the Executrix above named,
Nairobi House, Nairobi.
19th November, 1945.

GENERAL NOTICE No. 1794

THE BANKRUPTCY ORDINANCE, 1930

ORDER MADE ON APPLICATION FOR DISCHARGE

Debtor's name.—Manilal Kanji Joshi.

Address.—P.O. Box 46, Nakuru.

Description.—Cook.

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

Number.—42 of 1937.

Date of order made.—10th November, 1945.

Nature of order made.—Discharge suspended for two years.

The debtor will be discharged from 10th November, 1947.

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

GENERAL NOTICE No. 1795

THE BANKRUPTCY ORDINANCE, 1925

NOTICE OF INTENDED DIVIDEND

Debtor's name.—Bhawanbhai Fakirbhai Chogan, trading as "Chohan Bros."
Address.—Mombasa.
Description.—Retail Merchant.
Court.—H.M. Supreme Court, Mombasa.
Number of matter.—9 of 1933.
Last day for receiving proofs.—14th December, 1945.
Name of trustee.—Deputy Official Receiver.
Address.—Treasury Building, P.O. Box No. 366, Mombasa.
Mombasa, M. D. CHITNAVIS,
20th November, 1945. *Agent of the Official Receiver.*

GENERAL NOTICE No. 1796

THE BANKRUPTCY ORDINANCE, 1925

NOTICE OF INTENDED DIVIDEND

Debtor's name.—Shah Nemchand Karamshi.
Address.—Mombasa.
Description.—Merchant.
Court.—H.M. Supreme Court, Mombasa.
Number of matter.—4 of 1935.
Last day for receiving proofs.—14th December, 1945.
Name of trustee.—Deputy Official Receiver.
Address.—Treasury Building, P.O. Box No. 366, Mombasa.
Mombasa, M. D. CHITNAVIS,
20th November, 1945. *Agent of the Official Receiver.*

GENERAL NOTICE No. 1797

THE BANKRUPTCY ORDINANCE, 1925

NOTICE OF INTENDED DIVIDEND

Debtor's name.—Hussein Merali Bhanji.
Address.—Mombasa.
Description.—Cutlery and Fancy Goods Merchant.
Court.—H.M. Supreme Court, Mombasa.
Number of matter.—1 of 1936.
Last day for receiving proofs.—14th December, 1945.
Name of trustee.—Deputy Official Receiver.
Address.—Treasury Building, P.O. Box No. 366, Mombasa.
Mombasa, M. D. CHITNAVIS,
20th November, 1945. *Agent of the Official Receiver.*

GENERAL NOTICE No. 1798

THE TRANSPORT LICENSING BOARD

IT IS notified for general information that amongst other applications to be heard by the Board at the meeting to be held at Kisumu on 10th December, 1945, an application from Messrs. Gethin & Dawson for an Exclusive Road Service Licence for the route Suna—Utende will be considered.

Objections must be lodged at the office of the District Commissioner, Kisumu, three days prior to the date of hearing.

Nairobi, J. S. TEMPLETON, *Secretary,*
19th November, 1945. *Transport Licensing Board.*

GENERAL NOTICE No. 1799

THE TRANSPORT LICENSING BOARD

IT IS notified for general information that a meeting of the Transport Licensing Board, for the purpose of hearing applications for licences and objections thereto, will be held at the District Commissioner's Office, Kisumu, on Monday and Tuesday, 10th and 11th December, respectively, at 9 a.m. daily.

A list of applications for hearing may be seen at the offices of the Transport Licensing Board, Nairobi, the District Commissioner, Kisumu, the District Commissioner, Kericho, the District Commissioner, Kisii, the District Commissioner, Eldoret, and the District Commissioner, Kitale, on and after the 28th November, 1945.

Any objections to applications must be lodged at the District Commissioner's Office, Kisumu, not later than the 7th December, 1945.

Nairobi, J. S. TEMPLETON, *Secretary,*
19th November, 1945. *Transport Licensing Board.*

GENERAL NOTICE No. 1800

NOTICE is hereby given to the general public that the power of attorney dated the 20th day of September, 1944, and given by me to Ikram Ahmadi of Karatina has been revoked as from 15th November, 1945, and that the said Ikram Ahmadi has now no authority to pledge my credit or do anything on my behalf.

Nairobi, GHazanfar Ahmadi,
23rd November, 1945.

GENERAL NOTICE No. 1801

NOTICE OF CHANGE OF SURNAME

I, Nora May Pearce of Nairobi in the Colony of Kenya, hereby give notice that by a deed poll dated the 19th day of November, 1945, I formally renounced the surname of Zoller and have assumed the surname of Pearce as aforesaid for all purposes, and I hereby authorize all persons to designate and address me by such assumed surname of Pearce only.

19th November, 1945. N. M. PEARCE.

GENERAL NOTICE No. 1802

KENYA AND UGANDA RAILWAYS AND HARBOURS
ALTERATIONS AND AMENDMENTS TO THE TARIFF OF HARBOUR
DUES AND CHARGES No. 5 DATED 1ST AUGUST, 1945

Clause 18—Licences.

Insert the following as sub-clause (d) and alter sub-clause (d) to read (e):—

18 (d)—Ship Chandlers' Licences.

Ship Chandlers' Licences, per person or firm, for the period 1st January to 31st December, or any part thereof—Sh. 20.

The issue of these licences shall be subject to such conditions as may be notified to licensees from time to time.

Clause 22—Hire of Cranes, Transporters and Conveyors.

Delete the note to sub-paragraph of clause 22 (a) (ii) commencing from the words "No overtime is chargeable . . . shall be applied".

Delete sub-paragraph of clause 22 (d) (ii) commencing from the words "No overtime is chargeable . . . shall be applied".

Clause 23—Overtime.

Delete second paragraph of clause 23 (a) commencing from the words "No overtime is chargeable . . . will be applied".

Index.

Insert "Ship chandlers" between "Registration of crew and passenger lists 3" and "Stevedoring 18 (b)" under Licences—on page ii, and amend clause number of "Harbour craft and fishing stakes—18 (d)" to read 18 (e).

The foregoing amendments will take effect as from 1st January, 1946.

Headquarter Offices, Nairobi,
23rd November, 1945.

R. E. ROBINS
General Manager.

GENERAL NOTICE No. 1803

I, the undersigned Chandulal Harilal Raval, proprietor of Zalavad Hindu Lodge, carrying on its business on Plot No. 138/92, Canal Road, Nairobi, hereby notify all concerned that I have added three new partners, Messrs. Harishanker Bhawani-shanker Pancholi, Dhaneshwar Monji Pandya, and Jethalal Krishnam Trivedi, all of Nairobi, in the above firm as from the 1st day of November, 1945, and that the business name of my firm will remain the same, i.e. "Zalavad Hindu Lodge".

All debts owing to and by the said business of Zalavad Hindu Lodge up to and including 31st October, 1945, will be received and paid by me, Chandulal Harilal Raval.

CHANDULAL HARILAL RAVAL
Proprietor.

HARISHANKER B. PANCHOLI,
DHANESHWAR M. PANDYA,
JETHALAL K. TRIVEDI,

Nairobi, *New Partners.*
22nd November, 1945.

GENERAL NOTICE No. 1804

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

NOTICE is hereby given that the business of provisions, fresh fruits, vegetables and fish carried on by Faqir Mahomed s/o Fateh Din in his own name on Plot No. 8, Section LVI, Donald Avenue, Nakuru, has, as from the 1st day of November, 1945, been transferred to Jashbhai Motibhai Patel, Chhotabhai Narshibhai Patel, and Raojibhai Somabhai Patel, trading under the name and style of "Farmers' General Stores".

The address of the transferees is Plot No. 8, Section LVI, Donald Avenue Nakuru.

The address of the transferor is Plot No. 8, Section LVI, Donald Avenue, Nakuru.

The nature of the business is provisions, fresh fruits, vegetables, and fish.

The transferees will carry on the said business at the same place and under the same name or style of "Farmers' General Stores".

The transferees are not assuming nor do they intend to assume any liability incurred by the transferor in his said business up to and including the 31st day of October 1945.

FAQIR MAHOMED, *Transferor.*
JASHBHAJ MOTIBHAI PATEL,
RAOJIBHAI SOMABHAI PATEL,
CHHOTABHAI NARSHIBHAI PATEL,
Transferees.

GENERAL NOTICE No. 1805

THE COMPANIES ORDINANCE

PURSUANT to section 284, sub-section 3 of the above Ordinance, it is hereby notified that at the expiration of three months from date hereof the name of the undermentioned companies will, unless cause be shown to the contrary, be struck off the Register of Companies and the companies will be dissolved:—

Brackenhurst Hotel, Ltd.

Tamu, Ltd.

W. H. Lewis & Sons (Kenya), Ltd.

Nairobi, H. V. ANDERSON,
27th November, 1945. *for Registrar of Companies.*

GENERAL NOTICE No. 1806

MUNICIPAL COUNCIL OF NAIROBI—1946 ESTIMATES

The following Summary of the Estimates of Expenditure and Income for the year ending 31st December, 1946, is published in pursuance of the provisions of Section 94 of the Local Government (Municipalities) Ordinance, 1928.

GENERAL FUND

EXPENDITURE		INCOME	
	£		£
ADMINISTRATION :—		ADMINISTRATION :—	
Town Clerk's Department	3,600	Government Contribution to Salaries	1,266
Town Engineer's Department	7,698	Town Hall	185
Town Treasurer's Department	4,535	Licences and Registrations	4,300
Town Hall and Municipal Offices	983	Council's General Charges	175
Council's General Charges	12,785	PUBLIC HEALTH SERVICES :—	
Licensing Department	5,980	Government Contributions	21,000
PUBLIC HEALTH SERVICES :—		Ambulance Service	180
Department of Medical Officer of Health	11,731	Abattoir	18,790
Preventive Diseases Services	10,570	African Maternity Hospital	1,800
Auxiliary Health Services	10,435	Milk Depots	6,100
African Maternity Hospital	5,486	PUBLIC WORKS AND SERVICES :—	
Anti-Malarial Works	3,025	Consolidated Road and Traffic Grant	14,000
Ambulance Service	165	Reimbursements for Road Construction	5,870
Abattoir	16,417	Sewerage Fees	7,750
Milk Depots	5,284	Funerals and Cemeteries	2,000
PUBLIC WORKS AND SERVICES :—		Parks and Pleasure Grounds	120
Roads and Drains	31,764	Pounds	225
Sewers and Disposal Work	9,737	Fire Brigade	95
Fire Brigade	2,894	CLEANSING DEPARTMENT :—	
Street Lighting	4,450	Night Soil Removal and Disposal	16,000
Funerals and Cemeteries	1,915	Refuse Removal and Disposal	650
Parks and Pleasure Grounds	5,146	Scavenging	125
Pounds	80	NATIVE AFFAIRS DEPARTMENT :—	
CLEANSING DEPARTMENT :—		Native Location and Housing	34,532
Night Soil Removal and Disposal	16,530	Native Market	720
Refuse Removal and Disposal	14,097	Native Burials	325
Scavenging and Street Cleansing	6,625	PROPERTY ACCOUNT :—	
Public Conveniences	3,120	Municipal Market	4,552
NATIVE AFFAIRS DEPARTMENT :—		Asian Housing	7,154
Administration and Social Welfare	1,839	Sundry Properties	2,455
Native Location and Housing	37,855	MISCELLANEOUS REVENUE	500
Native Market	565	INTEREST ON INVESTED FUNDS	2,700
Native Burials	978	ASSESSMENT RATE—	
PROPERTY ACCOUNT :—		at 2% on Unimproved Site Values	82,560
Municipal Market	4,340	WATER SUPPLY FUND :—	
Asian Housing	7,370	Appropriation in aid of Rates	13,859
Sundry Properties	2,533	BALANCE—DEFICIT	3,384
CAPITAL EXPENDITURE :	3,200		
	£ 253,372		£ 252,372

WATER SUPPLY FUND

	£		£
Expenditure	49,637	Income from Sale of Water	63,496
Transferred in aid of Rates	13,859		
	£ 63,496		£ 63,496

Town Hall, Nairobi,
24th November, 1945.

F. L. STEWART,
Municipal Treasurer.

GENERAL NOTICE No. 1807

NOTICE OF CHANGE OF SURNAME

I, Robert Francis Bertram Camm, heretofore called and known by the name of Robert Francis Bertram Camm Davies, of Simbarra, Nyeri District, Kenya Colony, hereby give public notice that on the 14th day of November, 1945, I formally and absolutely renounced, relinquished and abandoned the use of my said surname of Davies and then assumed and adopted and determined thenceforth on all occasions whatsoever to use and subscribe the name of Camm instead of the said name of Davies, and further that such change of name is evidenced by a deed dated the 14th day of November, 1945, duly executed by me and attested and which will be registered in the Registry of Deeds at Nairobi and in which I formally and absolutely renounced and abandoned the said surname of Davies and declared that I had assumed and adopted and intended thenceforth on all occasions whatsoever to use and subscribe the name of Camm instead of Davies and so as to be at all times thereafter called, known and described by the name of Robert Francis Bertram Camm exclusively.

ROBERT FRANCIS BERTRAM CAMM.

Simbarra, Nyeri, 14th November, 1945.

GENERAL NOTICE No. 1808

NOTICE OF DISSOLUTION

NOTICE is hereby given that the partnership heretofore subsisting between Dharamshi Bharmal, Lakhamshi Devji and Gulabchand Bharmal, carrying on business of retail merchants at Stewart Street, Nairobi, under the firm name or style of Dharamshi Lakhamshi & Company, has been dissolved by the retirement therefrom of the said Lakhamshi Devji as from the 17th day of November, 1945, and the said business as from the said 17th day of November, 1945, shall be carried on by

the said Dharamshi Bharmal and Gulabchand Bharmal under the said firm name and style of Dharamshi Lakhamshi and Company. All debts due to and owing by the said firm will be received and paid by the remaining partners, Dharamshi Bharmal and Gulabchand Bharmal.

LAKHAMSHI DEVJI

Retiring Partner.

DHARAMSHI BHARMAL SHAH,
GULABCHAND BHARMAL SHAH,

Continuing Partners.

Nairobi,
19th November, 1945.

GENERAL NOTICE No. 1809

BRIDLE TRACK SAW MILLS

NOTICE OF RETIREMENT

NOTICE is hereby given that the partnership heretofore subsisting between Manibhai Chhotabhai Patel, Purshottam Hari-bhai Patel, Kantibhai Maganbhai Patel, Purshottam Hathibhai Patel and Raojibhai Maganbhai Patel, under the name and style of Bridle Track Saw Mills at Equator has been dissolved by mutual consent by retirement of Manibhai Chhotabhai Patel as from the 30th September, 1945. The remaining partners, Purshottam Hari-bhai Patel, Kantibhai Maganbhai Patel, Purshottam Hathibhai Patel and Raojibhai Maganbhai Patel, will now carry on in the same name and style of Bridle Track Saw Mills and will pay and receive all debts and outstandings of the said business.

PURSHOTTAM HARIBHAI PATEL,
KANTIBHAI MAGANBHAI PATEL,
RAOJIBHAI MAGANBHAI PATEL,
PURSHOTTAM HATHIBHAI PATEL,

Continuing Partners.

MANIBHAI CHHOTABHAI PATEL,

Retiring Partner.