



# THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

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### GOVERNMENT NOTICE NO. 513

#### APPOINTMENTS

GEORGE RAYMOND BRAMLEY BROWN to be Deputy Provincial Commissioner, Coast Province, with effect from the 30th of May, 1946.

SIR HOWARD ELPHINSTONE, BART., to be Acting Resident Magistrate, Mombasa, from the 3rd June, 1946.

JOHN TAYLOR to be Health Inspector, Malindi and Kilifi Districts and contained townships, with effect from the 8th March, 1946.

GEORGE RITCHIE SANDFORD, C.M.G., O.B.E., to be Chief Secretary to the Conference of East African Governors and Chairman of the East African Production and Supply Council with effect from the 21st May, 1946.

SIR CHARLES RAMSDALE LOCKHART, C.B.E., relinquished the post of Chief Secretary to the Conference of East African Governors and Chairman of the East African Production and Supply Council with effect from the 21st May, 1946, and is appointed Economic Adviser to the Conference of East African Governors and Chairman of the East African Industrial Council with effect from the same date.

#### PROMOTION

EDWARD JAMES PETRIE, Senior Accountant, Accountant General's Department, to be Assistant Financial Secretary with effect from the 1st January, 1946.

K. G. LINDSAY,  
Deputy Chief Secretary.

### GOVERNMENT NOTICE NO. 514

#### TRANS NZOIA LIQUOR LICENSING COURT APPOINTMENT

IN EXERCISE of the powers conferred upon the Governor by section 11 of the Liquor Ordinance (No. LXII of 1934), His Excellency the Governor has been pleased to appoint—

MR. G. TOMLINSON

to be a member of the Licensing Court of the Trans Nzoia Licensing Area for the year 1946 in the place of Mr. J. P. Keir, resigned.

Government Notice No. 200 of the 21st of February, 1946, is varied accordingly.

By Command of His Excellency the Governor.

Nairobi, 5th June, 1946. K. G. LINDSAY,  
for Chief Secretary.

### GOVERNMENT NOTICE NO. 515

#### THE PYRETHRUM ORDINANCE NOMINATION

IN EXERCISE of the powers conferred upon the Governor by sub-section (1) (a) of section 3 of the Pyrethrum Ordinance, 1938, and all other powers thereunto enabling him, the Governor's Deputy has been pleased to appoint—

MR. A. HOPE-JONES

to be a member of the Board in place of Commander F. J. Couldrey, D.S.C., deceased.

By Command of the Governor's Deputy.

Nairobi, 6th June, 1946. R. P. ARMITAGE,  
for Member for Agriculture and Natural Resources.

## GOVERNMENT NOTICE No. 516

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

R. TATTON BROWN,  
*Acting Clerk to the Legislative Council.*

**A Bill to Amend the Native Foodstuffs Ordinance, 1944**

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. 3 of 1944.

Amendment of sections 2, 3 and 4 of the principal Ordinance.

1. This Ordinance may be cited as the Native Foodstuffs (Amendment) Ordinance, 1946, and shall be read as one with the Native Foodstuffs Ordinance, 1944, hereinafter referred to as the principal Ordinance.

2. Sections 2, 3 and 4 of the principal Ordinance are hereby amended by deleting the words "Governor in Council", which appear in the third, first and eighth and ninth lines thereof respectively, and substituting therefor the words "Member for Agriculture, Animal Husbandry and Natural Resources".

**MEMORANDUM OF OBJECTS AND REASONS**

Section 3 of the principal Ordinance (the Native Foodstuffs Ordinance, 1944) enables the Governor in Council when he is satisfied that any district or area (other than a district or area in the Coast Province) is suffering from, or threatened with, a shortage of native foodstuffs, to issue a proclamation prohibiting, *inter alia*, the export from any district or area of any native foodstuffs. This Bill seeks to transfer the power to make such proclamations from the Governor in Council to the Member for Agriculture, Animal Husbandry and Natural Resources.

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

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

Nairobi, 3rd June, 1946.

## GOVERNMENT NOTICE No. 517

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

R. TATTON BROWN,  
*Acting Clerk to the Legislative Council.*

**A Bill to Amend the Sisal Industry Ordinance, 1945**

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. 21 of 1945.

Repeal and re-  
placement of  
section 7 (9) (i)  
of the principal  
Ordinance.

Repeal and re-  
placement of  
section 10 of  
the principal  
Ordinance.

Board may  
appoint  
committees  
and may  
delegate  
powers.

1. This Ordinance may be cited as the Sisal Industry (Amendment) Ordinance, 1946, and shall be read as one with the Sisal Industry Ordinance, 1945, hereinafter referred to as the principal Ordinance.

2. Sub-paragraph (i) of paragraph (9) of section 7 of the principal Ordinance is hereby repealed and the following sub-paragraph substituted therefor:—

"(i) the payment of such fees, travelling and out-of-pocket expenses to members of the Board as may be approved by the Governor;"

3. Section 10 of the principal Ordinance is hereby repealed and the following section substituted therefor:—

"10. The Board may appoint, from among their number, committees and may, by resolution, delegate any powers conferred upon them by this Ordinance to any such committees or to any member, officer or servant of the Board."

**MEMORANDUM OF OBJECTS AND REASONS**

This Bill seeks to amend the principal Ordinance (the Sisal Industry Ordinance, 1945) to enable members of the Kenya Sisal Board to be paid such fees as may be approved by the Governor and to enable the Board to appoint, from among their number, committees and to delegate any of the powers conferred upon them by the Ordinance to any such committees.

The above-mentioned amendments give effect to recommendations made by the Board.

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

Nairobi,  
6th June, 1946.

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

## GOVERNMENT NOTICE No. 518

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

R. TATTON BROWN,  
*Acting Clerk to the Legislative Council.*

**A Bill to Amend His Majesty's Forces Pensions 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 His Majesty's Forces Pensions (Amendment) Ordinance, 1946, and shall be read as one with His Majesty's Forces Pensions Ordinance, 1941, hereinafter referred to as the principal Ordinance. Short title.  
No. 24 of 1941.

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

2. (1) The Governor in Council may make Regulations—

10 (a) prescribing the conditions under and the manner in which pensions, gratuities or other allowances may be granted in respect of the death, disablement or sickness of any member of His Majesty's Forces who is serving or has served in any of such forces raised under the authority of any law for the time being in force in the Colony;

15 (b) providing for the establishment of Pensions Appeal Tribunals, to which an appeal may be made by any person who has been granted or refused a pension, gratuity or other allowance or whose pension, gratuity or other allowance has been varied and who is aggrieved by such grant, refusal or variation;

20 (c) prescribing the manner in which and the time within which appeals shall be made to, and the manner in which appeals shall be heard by, a Tribunal;

25 (d) providing for the mode of proof, the admissibility of evidence, and for the disclosure of documents whether in the possession of a government department or not;

30 (e) providing for the representation of an appellant or any other party to the proceedings at the hearing of an appeal and, in particular, for cases where an appellant owing to illness or any other cause is unable to be present at the hearing of an appeal;

(f) providing for the payment of travelling expenses and allowances to members of a Tribunal, to appellants or to their representatives or attendants, and of medical expenses reasonably incurred by an appellant for the purpose of an appeal;

35 (g) providing for the recording and proving of the decisions of a Tribunal;

(h) providing for the appointment of such staff as may be necessary to enable a Tribunal properly to fulfil its functions;

40 (i) providing for all such other matters, whether similar to or of the same nature as the foregoing or not, relating to the powers, duties and procedure of a Tribunal.

(2) The decision of a Tribunal upon an appeal made under the provisions of any Regulations made under this section shall be final and conclusive.

45 (3) In this section the expressions "a Tribunal" and "appellant" mean, respectively, any Pensions Appeal Tribunal appointed under Regulations made under the provisions of paragraph (b) of sub-section (1) of this section, and any person who is aggrieved by the grant, variation or refusal of a pension, gratuity or other allowance and who appeals against such grant, variation or refusal.

55 (4) All Regulations made under the provisions of sub-section (1) of this section shall be laid before the Legislative Council of the Colony within fourteen days after the making thereof if the Legislative Council is then in session, and, if not, shall be so laid before the Legislative Council within fourteen days of the next ensuing session".

Right of appeal to a Pensions Appeal Tribunal may be made retrospective in certain cases.

3. Any regulations made under the provisions of section 2 of the principal Ordinance, as repealed and replaced by section 2 of this Ordinance, may confer the right of appeal to a Pensions Appeal Tribunal upon any person who is aggrieved by the grant or refusal of a pension, gratuity or other allowance or by the variation of any pension, gratuity or other allowance where such grant, refusal or variation has been made on or after the 1st day of January, 1944. 5

#### MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to repeal and replace section 2 of His Majesty's Forces Pensions Ordinance, 1941 (No. 24 of 1941).

Paragraph (a) of sub-clause (1) of Clause 2, and sub-clause (4) of Clause 2 reproduce, with amendments, the section which this measure seeks to repeal.

Paragraphs (b) to (i) of sub-clause (1) and sub-clauses (2) and (3) of Clause 2 are new.

In 1943 a Select Committee of Legislative Council was appointed to examine the Regulations under which pensions and gratuities were paid to European members of the Armed Forces and their dependants. At that time the legislation in force consisted of the principal Ordinance and two sets of Regulations, one for Europeans and one for Africans, the grant of pensions and gratuities, etc., to Asian members of the Armed Forces and their dependants being dealt with by administrative action using the Royal Warrant as a basis.

The Select Committee, apart from recommending various alterations to the existing Regulations, specifically recommended that an independent Tribunal should be appointed to consider and decide appeals against decisions of the Pensions Assessment Board (at present determined by the Governor) and they also recommended that the procedure adopted in the United Kingdom should be followed.

In April, 1944, two *ad hoc* committees were appointed, one to consider the question of pensions to Asian members of the Armed Forces and their dependants, and one to deal with pensions for African members of the Armed Forces and their dependants.

Both the above-mentioned committees reported in 1945, and both of them followed the recommendations of the Select Committee of Legislative Council and recommended the establishment of a Pensions Appeal Tribunal.

This Bill seeks to empower the Governor in Council to make Regulations which will, in accordance with the recommendations of the committees referred to above, as nearly as possible follow the procedure in the United Kingdom.

Clause 3 seeks to confer the right of appeal to a Pensions Appeal Tribunal upon any person who is aggrieved by the grant or refusal of a pension, gratuity or other allowance or by the variation of any pension, gratuity or other allowance where such grant, refusal or variation has been made on or after the 1st day of January, 1944.

It is not possible to say what expenditure of public moneys will be involved if the provisions of this Bill become law.

Nairobi, 14th May, 1946.

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

## GOVERNMENT NOTICE No. 519

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

R. TATTON BROWN,  
*Acting Clerk to the Legislative Council.*

**A Bill to Amend the Passion Fruit 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:—

1. This Ordinance may be cited as the Passion Fruit (Amendment) Ordinance, 1946, and shall be read as one with the Passion Fruit Ordinance, 1937, hereinafter referred to as the principal Ordinance. Short title.  
No. 11 of 1937.

2. Section 2 of the principal Ordinance is hereby amended—

5 (a) by inserting between the definitions "agency" and "Conference" the following definition:— Amendment of  
section 2 of  
the principal  
Ordinance.

"'Board' means the Passion Fruit Board constituted under the provisions of section 7 of this Ordinance;";

10 (b) by deleting the word "registered", which appears in the definition of "Conference", and substituting therefor the word "licensed";

(c) by deleting the definition "export" and substituting therefor the following definition:—

15 "‘export’ means export from the Colony to any place outside the Colony;";

(d) by inserting between the definitions "export" and "levy" the following definition:—

20 "‘land reference number’ means the number assigned to any piece or parcel of land by the Commissioner of Lands for the purpose of reference in his office records;";

(e) by inserting between the definitions "levy" and "passion fruit" the following definition:—

25 "‘licensed grower’ means a person licensed under the provisions of section 4 of this Ordinance;".

3. Section 4 of the principal Ordinance is hereby repealed and the following section substituted therefor:— Repeal and re-  
placement of  
section 4 of  
the principal  
Ordinance.

30 4. (1) No person shall grow passion fruit for sale unless he is in possession of a licence issued to him in that behalf by the Director: "Licensing of  
persons who  
grow more  
than five acres  
of passion fruit.

Provided that nothing in this section shall apply to any person who does not grow more than five acres of passion fruit.

35 (2) Every application for a licence under this section shall be made to the Director, who shall, before granting or refusing such application, consult the Board.

40 (3) If the Director decides to grant or refuse an application for a licence under this section contrary to the advice of the Board he shall forthwith notify the Board, in writing, of his decision, and the Board may within thirty days of the date of such notification appeal, in the manner prescribed, to the Governor in Council, whose decision thereon shall be final.

45 (4) If the Director decides to refuse an application for a licence under this section he shall forthwith notify the applicant, in writing, of such decision, and the applicant may, within thirty days of the date of such notification, appeal, in the manner prescribed, to the Governor in Council, whose decision thereon shall be final.

(5) A fee of twenty shillings shall be payable for every licence issued under the provisions of this section.

50 (6) Every licence issued under the provisions of this section shall expire on the thirty-first day of March next following the date on which it is issued.

(7) Every licence issued under the provisions of this section shall specify—

55 (a) the number of acres of passion fruit which the licensed grower may grow;

(b) the maximum quantity of passion fruit which the licensed grower may deliver to the agency during the year to which the licence relates;

(c) the land reference number of the land to which the licence relates.

(8) All licence fees paid under the provisions of this section shall be placed to the credit of the passion fruit levy fund established under the provisions of section 11 of this Ordinance. 5

(9) Where the ownership or possession of any land in respect of which a licence has been issued under the provisions of this section is transferred, during the validity of the licence, to any other person by the licensed grower, the Director may, by a written endorsement on such licence, transfer such licence to such other 10 person. When any such transfer is made the Director shall give notice to the Commissioner of Inland Revenue of the name of the transferor, the name of the transferee, the number of the licence and the date of the endorsement.”.

Repeal and replacement of section 5 of the principal Ordinance.

4. Section 5 of the principal Ordinance is hereby repealed and 15 the following section substituted therefor:—

“No licensed grower shall sell passion fruit except to agency or under permit.

“5. No licensed grower shall sell passion fruit except to the agency or under and in accordance with a permit issued by the Board.”.

Amendment of section 6 of the principal Ordinance.

5. Section 6 of the principal Ordinance is hereby amended by 20 deleting the words “for the purpose of export”, which appear in the second line thereof, and substituting therefor the words “from a licensed grower except under and in accordance with a permit issued by the Board”.

Amendment of section 7 of the principal Ordinance.

6. Section 7 of the principal Ordinance is hereby amended— 25

(a) by deleting paragraph (c) of sub-section (1) thereof, and substituting therefor the following paragraph:—

“(c) three licensed growers who shall be elected at a Conference.”;

(b) by deleting the words “which shall be decided by the Board 30 by ballot”, which appear in paragraph (b) of sub-section (5) thereof; and

(c) by deleting the words “thirty” and “registered” which appear in the second and fourth lines, respectively, of paragraph (d) of sub-section (5) thereof, and substituting therefor the 35 words “fourteen” and “licensed”.

Amendment of section 10 of the principal Ordinance.

7 Section 10 of the principal Ordinance is hereby amended by deleting the words “in and exported from”, which appear in sub-section (1) thereof, and substituting therefor the words “by licensed growers in”. 40

Amendment of section 11 of the principal Ordinance.

8. Section 11 of the principal Ordinance is hereby amended by inserting the words “licence fees paid under the provisions of section 4 of this Ordinance, all” between the words “all” and “moneys”, which appear in the second and third lines of sub-section (1) thereof.

Repeal and replacement of section 12 of the principal Ordinance.

9. Section 12 of the principal Ordinance is hereby repealed and 45 the following section substituted therefor:

“Audit and publication of accounts of levy fund.

12. The accounts of the passion fruit levy fund shall be audited annually and such audited accounts shall be published, in such manner as the Governor may direct; and a copy of the annual balance sheet and financial statement shall be sent to 50 every licensed grower.”.

Amendment of section 17 of the principal Ordinance.

10. Section 17 of the principal Ordinance is hereby amended—

(a) by deleting paragraph (d) thereof, and substituting therefor the following paragraph:—

“(d) regulating the distribution to licensed growers of the 55 proceeds of sales of passion fruit by the agency;”;

(b) by deleting the word “export”, which appears in paragraph (f) thereof, and substituting therefor the word “sale”;

(c) by deleting paragraph (i) thereof, and substituting therefor the following paragraphs:— 60

“(i) providing for the number of acres for which licences may be granted;

(j) prescribing the method by which a levy may be imposed, and regulating the procedure for the collection thereof;



(k) prescribing the procedure to be followed on appeals to the Governor in Council under the provisions of subsections (3) and (4) of section 4 of this Ordinance;"

and

(d) by re-lettering paragraph (j) thereof as paragraph (l).

#### MEMORANDUM OF OBJECTS AND REASONS

Under the principal Ordinance (the Passion Fruit Ordinance, 1937) the sole right of purchasing passion fruit for the purpose of exporting it from the Colony is vested in the agency appointed by the Passion Fruit Board under the provisions of section 3. This Bill seeks to establish control of the sale of passion fruit locally as well as for export and to provide machinery for the licensing of growers of passion fruit which is designed to take the place of the existing registration system.

Sub-clause (1) of clause 4 of the measure provides that no person shall grow passion fruit for sale unless he is in possession of a licence issued to him in that behalf by the Director and the proviso to the sub-clause seeks to exempt persons from its provisions who do not grow more than five acres of passion fruit. Sub-clause (2) of the clause requires the Director to consult the Passion Fruit Board before granting or refusing any application for a licence, and sub-clause (3) seeks to enable the Board to appeal to the Governor in Council if the Director decides to grant or refuse an application for a licence contrary to its advice. Sub-clause (4) of the clause enables an applicant for a licence to appeal to the Governor in Council against a decision of the Director, refusing his application. Sub-clause (5) of the clause provides that a fee of Sh. 20 shall be payable for every licence issued, and sub-clause (8) provides that all licence fees paid under the provisions of the clause shall be placed to the credit of the Passion Fruit Levy Fund established under the provisions of section 11 of the principal Ordinance.

Clause 5 of the Bill seeks to repeal section 5 of the principal Ordinance and replace it with a new section which provides that no licensed grower, as defined in clause 2 of the Bill, shall sell passion fruit except to the agency or under and in accordance with a permit issued by the Passion Fruit Board.

Clause 7 seeks to amend section 10 of the principal Ordinance by enabling a levy to be imposed on all passion fruit produced by licensed growers. Hitherto the levy has been restricted to passion fruit produced for export.

Clauses 6, 8 and 10 seek to make amendments to the principal Ordinance which are consequential to the above-mentioned amendments, and clause 9 requires the accounts of the Passion Fruit Levy Fund to be audited annually and published, in such manner as the Governor may direct. The clause also requires a copy of the annual balance sheet and financial statement to be sent to every licensed grower.

The policy incorporated in the Bill has been approved by the Passion Fruit Board.

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

Nairobi, 3rd June, 1946.

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

## GOVERNMENT NOTICE NO. 520

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

R. TATTON BROWN,  
*Acting Clerk to the Legislative Council.*

**A Bill to Amend the Coffee Industry Ordinance, 1934**

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. 54 of 1934.

Amendment of  
section 3 of  
the principal  
Ordinance.

1. This Ordinance may be cited as the Coffee Industry (Amendment) Ordinance, 1946, and shall be read as one with the Coffee Industry Ordinance, 1934, hereinafter referred to as the principal Ordinance.

2. Section 3 of the principal Ordinance is hereby amended— 5  
(a) by repealing paragraphs (d) and (e) of sub-section (1) thereof and substituting the following paragraphs therefor:—

“(d) five coffee planters who shall be elected at a conference by delegates appointed by coffee planters whose coffee plantations are situated to the east of the meridian of longitude thirty-six degrees twenty-five minutes east of Greenwich; 10

(e) three coffee planters who shall be elected at a conference by delegates appointed by coffee planters whose coffee plantations are situated to the west of the meridian of longitude thirty-six degrees twenty-five minutes east of Greenwich.”; 15

(b) by repealing sub-section (5) thereof and substituting the following sub-sections therefor:—

“(5) Every candidate for election to the Board under the provisions of paragraphs (d) and (e) of sub-section (1) of this section shall lodge with the secretary, not less than thirty days before the date of the conference at which the election is to take place, a nomination paper signed— 20 25

(i) in the case of a candidate for election under the provisions of paragraph (d) of sub-section (1) of this section, by not less than seven coffee planters whose coffee plantations are situated to the east of the meridian of longitude thirty-six degrees twenty-five minutes east of Greenwich; and 30

(ii) in the case of a candidate for election under the provisions of paragraph (e) of sub-section (1) of this section, by not less than seven coffee planters whose coffee plantations are situated to the west of the meridian of longitude thirty-six degrees twenty-five minutes east of Greenwich. 35

(6) The following provisions shall apply in respect of the eight members of the Board elected under the provisions of paragraphs (a) and (e) of sub-section (1) of this section:— 40

(a) two 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 of the Board who were last elected on the same date the order of their retirement shall be determined by the Board by ballot.”; 45

and

(c) by re-numbering sub-sections (6) to (13) thereof as sub-sections (7) to (14), respectively. 50

Repeal and replacement of section 4B (1) of the principal Ordinance.

3. Sub-section (1) of section 4B of the principal Ordinance is hereby repealed and the following sub-section substituted therefor:—

“(1) There shall be constituted a committee to be known as the Coffee Licensing Advisory Committee (hereinafter referred to as the Advisory Committee), which shall advise the Director upon the issue of every licence under the provisions of section 4A of this Ordinance, and shall consist of— 55

(a) the Director, as chairman;

(b) three persons to be appointed annually by the Board; 60

(c) three persons holding licences issued under the provisions of section 4A of this Ordinance to be elected annually, of whom two shall be elected by the Mild Coffee Trade Association of Eastern Africa and one by the Hard Coffee Trade Association of Eastern Africa.”



4. Section 9 of the principal Ordinance is hereby amended—
- (a) by deleting the words "District Commissioner of the district in which such coffee plantation is situated," which appear in sub-section (1) thereof, and substituting therefor the word "Board";
- (b) by deleting the words "District Commissioner", which appear in sub-section (4) thereof, and substituting therefor the word "Board"; and
- (c) by repealing sub-section (6) thereof, and substituting the following sub-section therefor:—
- "(6) When the possession of any plantation, in respect of which a licence has been issued under the provisions of this section, is transferred, during the validity of the licence, from the person to whom the licence was issued to any other person, the Board may transfer such licence from the person to whom it was issued to such other person."
5. Sub-section (2) of section 11 of the principal Ordinance is hereby repealed and the following sub-section substituted therefor:—
- "(2) The coffee levy fund shall be in the custody of the Board, and the Accountant General shall, as soon as possible after the last day of each month, pay such amounts as have been collected in respect of the levy into an account opened in the name of the Board with a bank approved by the Governor."

Amendment of section 9 of the principal Ordinance.

Repeal and replacement of section 11 (2) of the principal Ordinance.

#### MEMORANDUM OF OBJECTS AND REASONS

In view of the fact that the acreage under coffee in areas west of the Rift Valley has decreased, it is considered that representation on the Coffee Board (established under the provisions of section 3 of the principal Ordinance, the Coffee Industry Ordinance, 1934) should be adjusted. Clause 2 of the Bill, therefore, seeks to amend sub-section (1) of section 3 of the principal Ordinance by increasing the representation of coffee planters east of the Rift Valley from four to five and decreasing the representation of coffee planters west of the Rift Valley from four to three. That amendment necessitates a consequential amendment to sub-section (5) of section 3 and the opportunity has been taken to re-cast the provisions of that sub-section and substitute therefor two new sub-sections. The only change in the existing law which the two new sub-sections seek to effect is that whereas under the existing sub-section (5) one member from each of the two areas is required to retire annually, under the new provisions two members will be required to retire but not necessarily one from each area.

Clause 3 of the measure seeks to provide that of the three members of the Coffee Licensing Advisory Committee (constituted under the provisions of section 4B of the principal Ordinance) who represent the trade, two shall be elected by the Mild Coffee Trade Association of Eastern Africa and one by the Hard Coffee Trade Association of Eastern Africa. The existing provision requires that two members shall be elected by the Nairobi branch and one by the Mombasa branch of the Coffee Trade Association of Eastern Africa. That Association has now been dissolved and its place has been taken by the two associations mentioned in the new clause.

Clause 4 of the measure seeks to constitute the Coffee Board as the licensing authority for coffee planters in the place of District Commissioners and clause 5 seeks to place the Coffee Levy Fund in the custody of the Coffee Board instead of the Accountant General.

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

S. W. P. FOSTER SUTTON,  
Nairobi, 29th May, 1946. *Attorney General.*

## GOVERNMENT NOTICE No. 521

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

R. TATTON BROWN,  
*Acting Clerk to the Legislative Council.*

**A Bill to Amend the Medical Practitioners and Dentists Ordinance**

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.

Cap. 119.

Repeal and replacement of section 9 of the principal Ordinance.

"Constitution of a Board for the purposes of this Ordinance.

1. This Ordinance may be cited as the Medical Practitioners and Dentists (Amendment) Ordinance, 1946, and shall be read as one with the Medical Practitioners and Dentists Ordinance (Chapter 119 of the Revised Edition), hereinafter referred to as the principal Ordinance.

5

2. Section 9 of the principal Ordinance is hereby repealed and the following section substituted therefor:—

9. (1) For the purposes of this Ordinance there shall be constituted a Board (hereinafter in this Ordinance referred to as "the Board") which shall consist of—

10

(a) the Director of Medical Services, who shall be chairman;

(b) two medical practitioners, registered under the provisions of this Ordinance, to be appointed by the Member for Health and Local Government;

(c) one dentist, registered under the provisions of this Ordinance, to be appointed by the Member for Health and Local Government;

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(d) three medical practitioners, registered under the provisions of this Ordinance, who shall be elected in the manner provided by Rules made under the provisions of sub-section (2) of this section.

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(2) The Member for Health and Local Government shall make Rules providing the procedure to be followed for the election of the members of the Board referred to in paragraph (d) of sub-section (1) of this section.

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(3) Members of the Board referred to in paragraphs (b), (c) and (d) of sub-section (1) of this section shall hold office for a period of three years from the date of their appointment or election, as the case may be, and shall be eligible for reappointment or re-election.

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(4) The chairman shall preside at all meetings of the Board unless he is absent on duty or on leave or is incapacitated by sickness or other cause. In the absence for any cause of the chairman, the Board shall choose one of their number, who shall, during the absence of the chairman, act as chairman.

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(5) The chairman at any meeting of the Board shall, in addition to his deliberate vote as a member of the Board, have a casting vote.

(6) If any member of the Board is incapacitated by illness or is otherwise prevented from performing his duties as a member thereof the Board may appoint a medical practitioner, registered under the provisions of this Ordinance, to act in the place of such member during his incapacity or absence.

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(7) When a member who has been elected under the provisions of sub-section (2) of this section dies or resigns from the Board, the Member for Health and Local Government may, with the advice of the Board, appoint any medical practitioner, registered under the provisions of this Ordinance, to act as a member of the Board until such time as a member is elected to fill the vacancy.

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(8) Four members of the Board shall constitute a quorum at any meeting of the Board and all acts, matters or things authorized or required to be done by the Board may be decided at any meeting at which a quorum is present.

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(9) The powers of the Board shall not be affected by any vacancy in the membership thereof."

3. Section 10B of the principal Ordinance is hereby repealed and the following sections substituted therefor:—

Repeal and replacement of section 10B of the principal

5 10B. (1) Whenever the Director of Medical Services is satisfied that there is not at any place in, or in any area of, the Colony a sufficient number of persons registered or licensed as medical practitioners under the provisions of this Ordinance to meet the medical needs of persons in such place or area, he may, with the consent of the Board, license any person to be a medical practitioner for such place or area:

"Director of Medical Services, with consent of the Board, may grant temporary licences in certain cases.

10 Provided that no person shall be so licensed unless he is by law entitled to practise medicine, surgery and midwifery in any place outside the United Kingdom, or, though not so entitled, he holds or has held a medical diploma granted in any place outside the United Kingdom, or has passed the examination necessary to obtain such diploma.

15 (2) Any licence granted under the provisions of sub-section (1) of this section shall be granted for such period and subject to such conditions as the Director of Medical Services, with the consent of the Board, may determine.

20 (3) A licence granted under the provisions of sub-section (1) of this section may, with the consent of the Board, be cancelled by the Director of Medical Services without assigning any reason for the cancellation thereof, and any such decision shall not be subject to review by any court.

25 10C. The issue, cancellation or revocation of any licence under the provisions of sections 10, 10A or 10B of this Ordinance shall be published in the Gazette."

Licences under sections 10, 10A, or 10B to be published in Gazette.

4. Section 15 of the principal Ordinance is hereby repealed and the following section substituted therefor:—

Repeal and replacement of section 15 of the principal Ordinance.

30 15. All medical officers in the public service of the Colony, of the Uganda Protectorate or of the Tanganyika Territory and all medical officers, while on full pay, of His Majesty's Army, Navy and Air Force residing in the Colony and all ships' surgeons while discharging their duties as such, shall be entitled to the privilege of persons registered under the provisions of this Ordinance and to be registered free of charge.

"Certain medical officers may be registered free of charge.

#### MEMORANDUM OF OBJECTS AND REASONS

Under the provisions of section 9 of the principal Ordinance (the Medical Practitioners and Dentists Ordinance, Chapter 119 of the Revised Edition) the Board, appointed for the purposes of that Ordinance, consists entirely of medical practitioners nominated by the Governor. It is now considered desirable that the Board should consist of medical practitioners partly elected and partly nominated and that one dentist, registered under the provisions of the Ordinance, should be included in its membership. Clause 2 of the Bill, therefore, seeks to repeal section 9 of the principal Ordinance and to substitute a new section therefor, embodying that policy.

Clause 3 of the Bill seeks to insert a new section in the principal Ordinance, to be numbered 10B. The new clause enables the Director of Medical Services, with the consent of the Board, if he is satisfied that there is not at any place in, or in any area of, the Colony a sufficient number of persons registered or licensed as medical practitioners under the Ordinance, to meet the medical needs of persons in such place or area, to license any person to be a medical practitioner for such place or area. The clause also provides that no person shall be so licensed unless he possesses the qualifications set out in the proviso to sub-clause (1) of the clause. Power is also conferred upon the Director of Medical Services, with the consent of the Board, to impose conditions and to cancel any such licence without assigning any reason for such cancellation, and sub-clause (4) of the clause provides that the revocation of any such licence shall not be subject to review by any court. Owing to an acute shortage, in certain areas of the Colony, of registered medical practitioners power to issue such licences was, during the war, conferred upon the Director of Medical Services, by Defence Regulations. Those Defence Regulations expired on the 24th February, 1946. The shortage still exists and is likely to continue to exist for some considerable time. It is, therefore, considered, in the interests of the community that such power should be incorporated in the permanent legislation, but it is only intended to exercise it when a shortage exists.

Clause 4 of the Bill seeks to repeal section 15 of the principal Ordinance and replace that section with a new section. The new clause seeks to confer upon medical officers in the public service of the Tanganyika Territory and medical officers of the Royal Air Force, the same privileges as are at present conferred upon medical officers in the public service of the Colony and of the Uganda Protectorate and medical officers of His Majesty's Army and Navy.

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

Nairobi, 4th June, 1946.

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

GOVERNMENT NOTICE No. 522

VACANCY—FEMALE CLERK, MEDICAL DEPARTMENT

A VACANCY for a female clerk exists in the Records Section of the Headquarters Office, Medical Department, Nairobi. Applicants should have had previous experience in dealing with a large filing system and be able to take charge of the correspondence section. A knowledge of shorthand and typing is necessary.

The successful applicant will enter the salary scale of £150 by £15 to £210 by £30 to £240 by £15 to £360 at a point commensurate with her experience and qualifications, and will be engaged on a three-year contract, which will include full Kenya European Civil Service terms, cost of living allowance at the appropriate rate, together with a limited allowance in respect of housing if not in occupation of Government quarters.

Applications should reach the Director of Medical Services, P.O. Box 641, Nairobi, not later than the 15th June.

GOVERNMENT NOTICE No. 523

THE INTERPRETATON AND GENERAL CLAUSES ORDINANCE

AND

THE EMPLOYMENT OF SERVANTS ORDINANCE

IN EXERCISE of the powers conferred upon him by section 9 of the Interpretation and General Clauses Ordinance (Chapter 1 of the Revised Edition), and all other powers thereunto enabling him, His Excellency the Governor has been pleased to cancel the appointments as labour officers of the persons named in the first column of the Schedule hereto with effect from the dates specified in the second column of the said Schedule.

SCHEDULE	
First Column	Second Column
Reginald Leslie Thompson ..	1st September, 1945
William Osmand Stokes ..	10th September, 1945

By Command of His Excellency the Governor.

K. G. LINDSAY,  
*for Chief Secretary.*

Nairobi, 3rd May, 1946.

GOVERNMENT NOTICE No. 524

THE INTERPRETATON AND GENERAL CLAUSES ORDINANCE

AND

THE COURTS ORDINANCE

IN EXERCISE of the powers conferred upon him by section 9 of the Interpretation and General Clauses Ordinance (Chapter 1 of the Revised Edition), and all other powers thereunto enabling him, His Excellency the Governor has been pleased to cancel the appointments set out in the first column of the Schedule hereto of the persons named in the second column of the said Schedule with effect from the dates specified in the third column of the said Schedule.

SCHEDULE		
First Column	Second Column	Third Column
Third Class ..	Philip Vernon Anson ..	1st January, 1941
do ..	Kenneth Martin Cowley ..	10th January, 1944
do ..	Edward Riley Cowan ..	1st April, 1944
do ..	A. C. H. Fry ..	8th October, 1944
do ..	Robert Hallowell Howitt ..	23rd March, 1946
First Class ..	Percy Wyn Harris ..	4th May, 1946
Third Class ..	F. G. Dorrington ..	5th May, 1946

By Command of His Excellency the Governor.

Nairobi, 29th May, 1946.

S. W. P. FOSTER SUTTON,  
*Member for Law and Order.*

GOVERNMENT NOTICE No. 525

ASIAN CIVIL SERVICE ADVISORY BOARD

APPOINTMENT

HIS EXCELLENCY the Governor has been pleased to appoint an Asian Civil Service Advisory Board with the following terms of reference:—

(1) To secure the greatest measure of co-operation between the Government in its capacity as employer and the general body of Asian Civil Servants in matters affecting the Asian Civil Service, with a view to increased efficiency in the public service combined with the well-being of those employed, to advise on staff problems, and generally to bring together the experience and different points of view of representatives of the various branches of the Asian Civil Service;

(2) to provide the best means for utilizing the ideas and experience of the Asian staff;

(3) to secure that representatives of the Asian staff are fully consulted regarding the conditions under which their duties are carried out;

(4) to encourage the further education and training of Asian Civil Servants;

(5) to consider means for the improvement of office machinery and organization and to provide opportunities for full consideration of suggestions by the Asian staff on this subject;

(6) to consider and advise on proposed legislation in so far as it has a bearing upon the position of Asian Civil Servants in relation to their employment;

(7) to consider and advise on the general principles governing terms and conditions of service, e.g. recruitment, office hours, promotion, discipline, tenure, housing, leave, allowances, remuneration, superannuation, etc., provided, however, that the discussion of these and like matters by the Board should be restricted to general principles, and that individual cases should not be considered unless they can be regarded as test cases involving the consideration of general principles;

(8) (a) to advise the Governor upon the appointment, promotion and transfer of officers within the Colony to posts in the Asian Civil Service carrying an initial salary of more than £240 per annum with the exception of promotions which the Commissioner of Police is empowered to make in the terms of section 8 (1) of the Police Ordinance, 1930;

(b) to arrange for the control of the various Asian Civil Service examinations;

(c) to advise the Governor on such matters affecting the posts or individuals in the Asian Service as he may specifically refer for the opinion of the Board;

(9) to co-ordinate as far as possible for the information of the Asian Civil Service the qualifications required for all posts in the Service.

2. The following members have been appointed during His Excellency's pleasure:—

G. H. Heaton, Esq. (*Chairman*),  
The Assistant Financial Secretary,  
The Establishment Officer,  
K. D. Travadi, Esq.,  
K. R. Patel, Esq.,  
Chanan Singh, Esq.,  
Nariman D. Mehta, Esq., M.B.E.,  
with L. da Cruz, Esq., as Secretary.

3. With effect from the date of this notice the Civil Service Board appointed under Government Notice No. 551 of the 6th of August, 1935, will cease to function.

K. G. LINDSAY,  
*for Chief Secretary.*

Nairobi, 11th June, 1946.

GOVERNMENT NOTICE No. 526

REVIEW OF DEFENCE REGULATIONS AND CONTROLS COMMITTEE

APPOINTMENT

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

THE PRESIDENT OF THE FEDERATION OF INDIAN CHAMBERS OF COMMERCE AND INDUSTRY OF EASTERN AFRICA

to be a member of the Committee appointed under Government Notice No. 496 of the 1st June, 1946.

K. G. LINDSAY,  
*for Chief Secretary.*

Nairobi, 6th June, 1946.

## GOVERNMENT NOTICE No. 527

THE NATIVE AUTHORITY ORDINANCE  
APPOINTMENTS

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

V. M. McKEAG, *Provincial Commissioner,*  
Mombasa, 31st May, 1946. *Coast Province.*

## SCHEDULE

## Kwale District—Coast Province

Name	Area	With effect from	Remarks
Johnson Mwero	Mwavumbo	1st Jan., 1945	Vice Kapombe wa Kizigwa, resigned, appointed under G. N. 617/40
Kirongo Gereza	Ndavaya	1st Jan., 1942	Vice Mbitsa Mwachita, discharged, appointed under G. N. 617/40

## GENERAL NOTICE No. 929

## MUNICIPAL BOARD OF MOMBASA

## ELECTION—WARD No. 2

THE following candidate has been declared to be a duly elected member of the Municipal Board of Mombasa for Ward No. 2:—

Mrs. Vidya Vati Sondhi.

Municipal Office, Mombasa, E. G. TIDY, *Town Clerk,*  
1st June, 1946. *Returning Officer.*

## GENERAL NOTICE No. 930

## MUNICIPAL COUNCIL OF NAIROBI

## ELECTION OF INDIAN COUNCILLORS

NOTICE is hereby given that polls will be taken for the election of three Indian Councillors on the undermentioned days:—

## Parklands and Hill Ward—

Polling Station, H.H. the Aga Khan Club, Limuru Road:  
Saturday the 29th day of June, 1946.

## Central Ward—

Polling Station, Suleman Virjee Indian Gymkhana, Desai Road: Friday the 28th day of June, 1946.

## Eastleigh Ward—

Polling Station, Asian Civil Service Club, Juja Road:  
Wednesday the 26th day of June, 1946.

## CANDIDATES

## Parklands and Hill Ward—

(1) Jivraj Merali.

*Proposer:* Manjee Janmohamed.

*Second:* Gulabrai Khandubhai Desai.

(2) Dwarka Nath Khanna.

*Proposer:* Krishenlal Vithaldas Adalja.

*Second:* Kassam s/o Kanji Rahim.

## Central Ward—

(1) Ishani G. Kassam Madhavji.

*Proposer:* Nimji Javer Kassam.

*Second:* Hargovinddas Ranchhoddas Pavagadhi.

(2) Ismail Kassam Mohamed.

*Proposer:* Mulla Abdul Majid Dar.

*Second:* Raojibhai Chhotabhai Patel.

(3) Pyarali Mohamedali Daya.

*Proposer:* Nanjee Janmohamed.

*Second:* Rambhai Shankerbhai Patel.

(4) Pandit Shantilal Anant Kumar Umiashanker.

*Proposer:* Shankerdass Prithvinath.

*Second:* Nyar Krishan Kumar s/o Bhagwandas.

(5) Santokh Singh Mehta.

*Proposer:* Yorhondas Narandas.

*Second:* Pranlal Maganbhai Patel.

## Eastleigh Ward—

(1) Aziz Sadar-ud-Din.

*Proposer:* Allah Ditta Qureshi.

*Second:* Mubarak Ali Dar.

(2) Gulam Sarwar s/o Amir Ali.

*Proposer:* Sher Mohamed Kher Mohamed.

*Second:* Feroz Deen Qureshi.

(3) Mohan Singh s/o Balasa Singh.

*Proposer:* Dalip Singh Attar Singh.

*Second:* Ujagar Singh Dhariwal.

(4) Shadi Ram Maini.

*Proposer:* Mohanlal Ramsaludas Anand.

*Second:* Amar Singh Panesar Diwan Singh.

The polls will commence at 8 a.m. and close at 8 p.m.

The persons entitled to vote are those whose names appear in the Voters Rolls of the respective Wards.

Town Hall, Nairobi, W. W. RIDOUT,  
11th June, 1946. *Returning Officer.*

## GENERAL NOTICE No. 931

## MUNICIPAL BOARD OF NAKURU

## NOTICE OF ELECTION

NOTICE is hereby given that an election to fill two vacancies on the Board caused by the death of Commander F. J. Couldrey, and the expiry of office of M. M. Williamson, Esq., will be held on Monday the 24th day of June, 1946.

Each candidate for election as a member must be nominated in writing and the nomination paper must be delivered by the candidate or the proposer or seconder to me at my office, Municipal Offices, Nakuru, between the hours of 11 o'clock in the forenoon and 12 o'clock noon on Monday the 24th day of June, 1946.

Forms of nomination may be obtained from me at the above-named office. The candidates elected to fill the above vacancies will be entitled to remain in office until the 30th June, 1949.

Municipal Offices, Nakuru, R. S. KNOWLDEN,  
4th June, 1946. *Returning Officer.*

## GENERAL NOTICE No. 932

## MUNICIPAL COUNCIL OF NAIROBI

PURSUANT to the provisions of section 24 (1) of the European Councillors Election Rules, 1928, and section 24 (1) of the Indian Councillors Rules, 1938, it is hereby notified that the following persons have been duly elected members of the Municipal Council of Nairobi:—

Dr. Vishwanath Vithal Patwardhan, representing the East Commercial Ward.

Thomas Allen Dobbs-Johnson (re-elected), representing the Parklands Ward.

Norman Francis Harris, representing the Westlands Ward.

Philip Antony Johnson, representing the Muthaiga Ward.

James Robert Maxwell and Robert Reid Oswald, representing the Central Ward.

The term of office as councillors for which the above-named have been elected is three years from the first day of July, 1946.

Town Hall, Nairobi, W. W. RIDOUT,  
7th June, 1946. *Town Clerk.*

## GENERAL NOTICE No. 933

## SUPREME COURT VACATION—MOMBASA

THE VACATION will commence on the 30th day of June, 1946, and will terminate on the 21st day of July, 1946.

During the vacation the Supreme Court at Mombasa will sit for the transaction of business of an urgent nature only.

During the vacation the Resident Magistrate at Mombasa will only hear police cases, civil cases of an urgent nature or those in which advocates are not engaged.

During the vacation Courts will be open to the public from 8 a.m. to 12.30 p.m. on all weekdays other than Saturdays, when they will close at 12 noon.

J. A. ANGUS,  
Law Courts, Mombasa, *Acting District Registrar,*  
6th June, 1946. *H.M. Supreme Court of Kenya, Mombasa.*

## GENERAL NOTICE No. 934

## THE WATER ORDINANCE, 1929

## Thererika River, Ruiru District

APPLICATION by Lt.-Col. C. F. Hamm, of Ruiru, for a Water Right from the Thererika River on L. 293/5 for a quantity of 20,000 gallons per day (16,000 gallons returnable to river) for the purpose of pulping and washing of coffee.

Plans may be seen at the office of the Public Works Department Head 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.

C. F. HAMM,  
*Applicant or Lawfully Authorized Agent,*  
*Thererika Farm, P.O. Ruiru.*

## GENERAL NOTICE No. 935

## PROBATE AND ADMINISTRATION

## CAUSE No. 35 OF 1946

*In the matter of Juma bin Khamis Mwakuremwa, deceased*

TAKE NOTICE that all persons having any claims against the estate of the above-named Juma bin Khamis Mwakuremwa, deceased, who died at Changamwe, Mombasa, on the 12th day of April, 1946, are required to prove such claims before me the undersigned on or before the 11th day of August, 1946, after which date the claims so proved will be paid, and the estate distributed according to law.

Mombasa, 4th June, 1946. M. D. CHITNAVIS,  
*Agent of the Public Trustee.*



## GENERAL NOTICE No. 936

THE WAR LOAN ORDINANCE, 1940  
LOSS OF BOND CERTIFICATES

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 certificates Nos. 1166 for £20, 2569 for £50 and 4517 for £20 Series "B" of 1945/47 loan, issued in the name of Mrs. Isabella Moresby White, has been lost and that it is proposed after the expiration of thirty days from the date of this notice to issue duplicates of such certificates.

The Treasury, Nairobi,  
6th June, 1946.

H. J. WEBSTER,  
*Accountant General.*

## GENERAL NOTICE No. 937

THE BANKRUPTCY ORDINANCE  
RECEIVING ORDER

*Debtor's name.*—Premkunver A. Mehta w/o V. B. Mehta.  
*Address.*—Kibos.  
*Description.*—Married woman.  
*Date of filing petition.*—7th March, 1946.  
*Court.*—Resident Magistrate's Court, Kisumu.  
*Number of matter.*—1 of 1946 (Kisumu).  
*Date of Order.*—7th March, 1946.  
*Whether debtor's or creditors' petition.*—Debtor's.

Nairobi, 4th June, 1946.

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

## GENERAL NOTICE No. 938

THE BANKRUPTCY ORDINANCE  
ADJUDICATION  
*Summary Case*

*Debtor's name.*—Milkha Singh s/o Udham Singh.  
*Address.*—Nairobi.  
*Description.*—Carpenter.  
*Court.*—H.M. Supreme Court, Nairobi.  
*Number of matter.*—3 of 1946.  
*Date of order.*—31st May, 1946.  
*Date of petition.*—4th April, 1946.  
*Date of order for summary administration.*—16th April, 1946.

Nairobi, 4th June, 1946.

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

## GENERAL NOTICE No. 939

THE BANKRUPTCY ORDINANCE  
NOTICE OF INTENDED DIVIDEND  
*Summary Case*

*Debtor's name.*—Naranbhai Ambalal Patel.  
*Address.*—Nairobi.  
*Description.*—Formerly trading as "Anjan African Store", and now serving as a clerk.  
*Court.*—H.M. Supreme Court, Nairobi.  
*Number of matter.*—11 of 1941.  
*Last day for receiving proofs.*—26th June, 1946.  
*Name of trustee.*—Official Receiver.  
*Address.*—Law Courts Buildings, P.O. Box 231, Nairobi.

Nairobi, 5th June, 1946.

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

## GENERAL NOTICE No. 940

MUNICIPAL BOARD OF MOMBASA  
ELECTION OF INDIAN COUNCILLORS

NOTICE is hereby given that polls will be taken for the purpose of electing Indian members for Wards Nos. 6 and 7.

The poll for Ward No. 6 will be taken on Sunday, the 30th day of June, 1946, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon.

The poll for Ward No. 7 will be taken on Wednesday, the 26th day of June, 1946, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon.

The names of the candidates and of their proposers and seconders are set out in the Schedule hereto.

The polling station will be the Kaderbhoy Memorial Hall, Mombasa.

1st June, 1946.

E. G. TIDY, *Town Clerk,*  
*Returning Officer.*

## SCHEDULE

## Ward No. 6—

*Candidate:* Abdulhusen Nurmohamed.  
*Proposer:* A. B. Patel.  
*Secunder:* A. H. Kaderbhoy.

*Candidate:* Revashanker Devchand Doshi.  
*Proposer:* Mohamedali Rehamanji.  
*Secunder:* R. M. Doshi.

## Ward No. 7—

*Candidate:* Hassanali Mussa Jetha.  
*Proposer:* Mohamedali Dhalla Visram.  
*Secunder:* Abdulhusen Mamuji Amiji.

*Candidate:* Shanker Dhondo Karve.  
*Proposer:* A. H. Kaderbhoy.  
*Secunder:* K. R. Paroo.

## GENERAL NOTICE No. 941

## NOTICE OF CHANGE OF SURNAME

I, Ruben Rose, of Nairobi in the Colony of Kenya, formerly called Ruben Rosenberg, hereby give public notice that I have absolutely renounced and abandoned the use of my said surname of Rosenberg and assumed in lieu thereof the surname of Rose and further that such change is evidenced by a deed poll dated the 3rd day of June, 1945, herewith duly executed by me and attested.

RUBEN ROSE.  
RUBEN ROSENBERG.

Nairobi, 4th June, 1946.

## GENERAL NOTICE No. 942

## NOTICE

NOTICE is hereby given that the partnership heretofore subsisting between Suleman Mohamed, Hasham Mohamed and Ali Mohamed, who were carrying on business of general merchants under the name and style of Mohamad Moti & Sons at Nairobi and elsewhere in the Colony of Kenya, has been dissolved as from the 28th day of February, 1946, by the retirement of the said Hasham Mohamed from the said partnership and that from the said date the said business will be carried on by the remaining partners, Suleman Mohamed and Ali Mohamed, in the same name and style and at the same place.

All debts due to and owing by the late firm will be received and paid by the said Suleman Mohamed and Ali Mohamed.

H. D. TRIVEDI,  
*for Trivedi & Nazareth,*  
4th June, 1946. *Advocates for Mohamed Moti & Sons.*

## GENERAL NOTICE No. 943

THE WAR LOAN ORDINANCE, 1940  
LOSS OF WAR BOND CERTIFICATES

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 certificates Nos. 3079 for £10 of 1949/51 and 1716 for £40 of 1952/54 loan Series "B", issued in the name of Mr. Thomas Crawford Cairns, have been lost and that it is proposed after the expiration of thirty days from the date of this notice to issue duplicates of such certificates.

The Treasury, Nairobi,  
1st June, 1946.

H. J. WEBSTER,  
*Accountant General.*

## GENERAL NOTICE No. 944

THE TRANSPORT LICENSING BOARD  
MEETING AT NAIROBI

IT IS notified for general information that a meeting of the Transport Licensing Board will be held at the offices of the Transport Licensing Board at Nairobi on the 2nd and 3rd days of July, 1946, at 10 a.m. on each day, for the purpose of hearing applications for licences and objections thereto.

A list of applications for hearing may be seen at the offices of the Transport Licensing Board, Nairobi, on and after the 7th day of June, 1946.

Any objections to applications must be lodged at the offices of the Transport Licensing Board, Nairobi, three days prior to the date of hearing.

J. S. TEMPLETON, *Secretary,*  
Nairobi, 31st May, 1946. *Transport Licensing Board.*

## GENERAL NOTICE No. 945

THE TRANSPORT LICENSING BOARD  
MEETING AT FORT HALL, NYERI, THIKA

IT IS notified for general information that a meeting of the Transport Licensing Board will be held at the offices of the District Commissioners, Fort Hall, on the 9th day of July, 1946, at 11.30 a.m., Nyeri, on the 10th day of July, 1946, at 9 a.m., and Thika, on the 12th day of July, 1946, at 11 a.m., for the purpose of hearing applications for licences and objections thereto.

A list of applications for hearing may be seen at the offices of the Transport Licensing Board, Nairobi, and the District Commissioners, Fort Hall, Nyeri and Thika, on and after the 7th day of June, 1946.

Any objections to applications must be lodged at the office of the District Commissioner concerned three days prior to the date of hearing.

J. S. TEMPLETON, *Secretary,*  
Nairobi, 31st May, 1946. *Transport Licensing Board.*

## GENERAL NOTICE No. 946

MUNICIPAL BOARD OF ELDORET  
RESULT OF ELECTION

NOTICE is hereby given that at the annual election held on 1st June, 1946, the undernoted were returned unopposed as members of the Municipal Board:—

Geoffrey Richard Pembridge,  
Edward John Darvall,  
Jacob Hendrik Engelbrecht.

H. P. ZIMMERMAN,  
*Returning Officer.*



## GENERAL NOTICE No. 947

## ELECTRIC POWER ORDINANCE

PUBLIC NOTICE of an application to be made for licences:—

- (a) To authorize the construction of a thermal generating station in the Township of Kitale to be replaced or supplemented later (at the option of the applicant) by a hydro-electric generating station on the Nzoia River adjacent to the Broderick Falls and the generation of electrical energy therein;
- (b) To authorize the distribution and supply within the Township of Kitale of electrical energy from such generating station.

NOTICE is hereby given to all whom it may concern that on the 20th day of August, 1946, the East African Power and Lighting Company, Limited (a limited liability company incorporated in the Colony and Protectorate of Kenya and having its registered office at Nairobi in the said Colony) will make application to His Excellency the Governor in Council for licences to construct a generating station and to generate, distribute and supply electrical energy for public and private purposes in the areas hereinafter described and for any such other licences as may be granted.

The area within which it is proposed that supplies of electrical energy shall be given is the Township of Kitale.

The streets and roads along which it is proposed that electric supply lines shall be installed are shown on the plan marked "A" deposited at the offices of Messrs. Hamilton, Harrison & Mathews, Advocates, Nairobi House, Nairobi, and at the offices of the Standard Bank of South Africa, Limited, at Kitale aforesaid, and the proposed supply lines are delineated on the said plans by red and green lines.

The position of such supply lines however may be varied to meet Government requirements in connexion with the proposed revision of town planning which it is intended to apply to Kitale Township.

Further distributing mains of electrical supply lines will be installed as may be required under the provisions of the Electric Power Ordinance or the Electric Supply Lines Ordinance.

The public and private purposes of the licences will include all the supplies required for public, industrial and domestic power and public, industrial and domestic lighting and such other supplies as may be required.

The generating station will in the first place be—

- (A) constructed on a site in Section VI of the Township of Kitale which is shown on the plan above mentioned and marked "Proposed Power Station Site", and the electrical energy will be developed therein by means of internal combustion engines or steam engines connected to electrical generators;

but may (at the option of the applicant) be replaced or supplemented at a later date by another station;

- (B) constructed on a site on the Nzoia River adjacent to the Broderick Falls which is shown on the plan marked "B" deposited at the respective offices above mentioned and marked "Proposed Power Station Site" and the electrical energy will be developed therein by means of water-turbines connected to electrical generators.

All works will be of the descriptions and types required by, and will be carried out in accordance with, the Electric Power Ordinance.

The machinery will be operated continuously or as may be required.

The generating machinery to be installed in generating station (A) described above will be an oil engine or oil engines of a capacity or aggregate capacity not less than 300 kilowatts. The generating machinery to be installed in generating station (B) (if and when constructed) will be a water-turbine or water-turbines of a capacity or aggregate capacity not less than 1,000 kilowatts. All such machinery will be installed in strict compliance with section 50 (1) of the Electric Power Ordinance.

Copies of the drafts of the licences being applied for, and of the licences when granted, will be deposited at the offices of Messrs. Hamilton, Harrison and Mathews aforesaid in Nairobi and at the offices of the Standard Bank of South Africa, Limited, at Kitale.

Any public or local authority, company, person or body of persons, desirous of making any representation on or objection to the grant of the licences, or with respect to the proposed works, must do so by letter addressed to the Governor in Council and marked on the outside of the cover enclosing it "Electric Power Ordinance" on or before the expiration of 60 days from the date of the application as stated in this notice and must forward to the applicant a copy of such representation or objection.

Dated the 31st day of May, 1946.

HAMILTON, HARRISON & MATHEWS,  
Advocates for the Applicant,  
Nairobi House, Nairobi.

## GENERAL NOTICE No. 3

## 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, 11-6-46

- Cr. Case No. 227/45 Rex v. Kipsaina arap Komen.  
Cr. Case No. 228/45 Rex v. Yofan s/o Samson.  
Cr. Case No. 246/45 Rex v. Anselma s/o Odinya.  
Cr. Case No. 4/46 Rex v. Kandagor arap Ruto.  
Cr. Case No. 47/46 Rex v. Kwatere s/o Shiwani.  
Cr. Case No. 66/46 Rex v. Kabon w/o Kiprop.  
Cr. Case No. 23/46 Rex v. Maganbhai Hathibhai Patel.  
Cr. Case No. 76/46 Rex v. Magoha s/o Shiapiri.  
Cr. Case No. 80/46 Rex v. Makutu s/o Ambani.  
Cr. Case No. 82/46 Rex v. Pere s/o Musali.  
Cr. Case No. 84/46 Rex v. Kimeli arap Mugun.  
Cr. Case No. 103/46 Rex v. Changuony arap Kisang.

## SUPREME COURT SESSIONS AT NAKURU, 5-6-46

In Chambers at 9.30 a.m.—

- Civil Case No. 7/44 Kamau Wambuku v. Muhoro Kabutoo.  
C.C. No. 9/41 Muta Darata and 3 others v. Rugnath Jeram.

In Court at 10 a.m. for Hearing—

- Civil Case No. 3/45 J. N. Pieters and E.A. Lands & Development Co., Ltd. v. J. S. Blanche.  
Civil Case No. 7/45 Ol'Kalau Stores v. J. M. Daniel (junr.).  
Divorce Cause No. 1/44 A. Dugand v. M. M. Dugand and H. J. J. Brummer.  
C.C. No. 11/45 Kibirir Kebei v. Henry Wasiya.

## SUPREME COURT CRIMINAL SESSIONS AT MALINDI, 11-6-46

- Cr. C. No. 58/46 Rex v. Kalume s/o Abaganda.  
Cr. C. No. 52/46 Rex v. Randu s/o Nzai.  
Cr. C. No. 53/46 Rex v. Tsangwa s/o Ngala.  
Cr. C. No. 54/46 Rex v. Murige s/o Ndoc.  
Cr. C. No. 59/46 Rex v. Kadzungu s/o Kai.  
Cr. C. No. 61/46 Rex v. Masha s/o Kalumwa.  
Cr. C. No. 69/46 Rex v. Gia s/o Mazungu.  
Cr. C. No. 93/46 Rex v. Bulushi s/o Kitswa.  
Cr. C. No. 50/46 Rex v. Mwachikonga s/o Benyundo.

## SUPREME COURT CRIMINAL SESSIONS AT MOMBASA, 7-7-46

- Cr. C. No. 81/46 Rex v. Bagat Singh Biant.  
Cr. C. No. /46 Rex v. Jumbale s/o Balu.

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

## GENERAL NOTICE No. 948

## NAIROBI DISTRICT COUNCIL

## NOTICE

*Graduated Rate upon the Area of Land within the Area of Jurisdiction of the Nairobi District Council*

PURSUANT to section 92 of the Local Government (District Councils) Ordinance, 1928, all persons concerned are hereby informed that the Nairobi District Council, at a special meeting held on the 3rd of May, 1946, fixed Monday, the 2nd of September, 1946, as the day upon which the rate for the year 1946 shall become due and payable.

The amount of the rate payable by each person will be calculated on the divisional basis as set out hereunder —

*Western Portion—West of the Fort Hall Road*

- Under 10 acres: Minimum Sh. 20.  
Division 1.—1 to 10 acres: Sh. 2 per acre.  
Division 2.—Over 10 to 20 acres: Sh. 1/50 per acre.  
Division 3.—Over 20 to 50 acres: Cents 50 per acre.  
Division 4.—Over 50 to 500 acres: Cents 20 per acre.  
Division 5.—Over 500 to 5,000 acres: Cents 2 per acre.  
Division 6.—Over 5,000 acres: Cents 1 per acre.

*Eastern Portion—East of the Fort Hall Road*

- Under 5 acres: Minimum Sh. 20.  
Division 1.—1 to 5 acres: Sh. 2 per acre.  
Division 2.—Over 5 to 10 acres: Sh. 1/50 per acre.  
Division 3.—Over 10 to 50 acres: Cents 50 per acre.  
Division 4.—Over 50 to 500 acres: Cents 20 per acre.  
Division 5.—Over 500 to 5,000 acres: Cents 2 per acre.  
Division 6.—Over 5,000 acres: Cents 1 per acre.

Interest will be charged at the rate of 1 per cent per month on amounts paid after the 30th day of September, 1946.

J. R. L. COVEY,  
Nairobi, 10th June, 1946. Clerk to Council.

## GENERAL NOTICE No. 949

## THE JUBILEE INSURANCE COMPANY, LIMITED

(Incorporated in Kenya)

Life Policy No. 4721 for Sh. 6,000 on the Life of Mr. Badrudin Hassanali Nurmahomed, of Mombasa

NOTICE having been given of the loss by burglary of the above-numbered policy, a duplicate copy will be issued unless objection is lodged at this office of the company within thirty days from this date.

Head Office, P.O. Box 220,  
Mombasa. 3rd June, 1946.

M. R. HOSANGADY,  
General Manager.

## GENERAL NOTICE No. 950

IN HIS MAJESTY'S SUPREME COURT OF KENYA  
AT NAIROBI  
PROBATE AND ADMINISTRATION  
CAUSE No. 84 OF 1946

Re *Hugo Douglas Tweedie, deceased*  
and

*In the matter of an application for re-sealing in the Colony and Protectorate of Kenya of the confirmation of the will by Mrs. Moyre Eileen Tweedie in the estate of the above-named deceased issued to her as an executrix by the Commissariat of Edinburgh, Scotland.*

TAKE NOTICE that Messrs. Shapley, Schwartze and Barret, Advocates, Nairobi, have applied to this Court for and on behalf of Mrs. Moyre Eileen Tweedie, of Leith Cottage, Old Knebworth, Hertfordshire, England, the executrix of the estate of the above deceased, for re-seal of confirmation granted to the said Mrs. Moyre Eileen Tweedie by the Commissariat of Edinburgh of the will of Hugo Douglas Tweedie, Major, 2nd Battalion, Scots Guards, sometime of Edradour, North Berwick, Scotland, and thereafter of the Regular Army, care of Army Post Office, Nairobi, the above-named deceased who was killed in action in Western Europe on the 8th day of April, 1945, 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 25th day of June, 1946.

E. J. O'FARRELL, Registrar,  
Nairobi, 5th June, 1946. *Supreme Court of Kenya.*

## GENERAL NOTICE No. 951

IN HIS MAJESTY'S SUPREME COURT OF KENYA  
AT NAIROBI  
PROBATE AND ADMINISTRATION  
CAUSE No. 85 OF 1946

Re *Miss Anne Berkley, deceased*  
and

*In the matter of an application for re-sealing in the Colony and Protectorate of Kenya of an exemplification of probate of the will and one codicil granted by the District Registry of the Probate Division of His Majesty's High Court of Justice at Durham, England.*

TAKE NOTICE that an application has been made by Frederick Charles Dewell, the manager for the time being of the Nairobi Branch of the Standard Bank of South Africa, Limited, as attorney of Lloyds Bank, having its registered office at Salisbury in the County of Wiltshire, England, and William Granville Maddison, of 44, Sadler Street, in the city of Durham, England, the executors named in the will, for re-sealing in the Colony and Protectorate of Kenya of an exemplification of the probate of the will and one codicil granted by the District Registry of the Probate Division of His Majesty's High Court of Justice at Durham, England, to the said executors, in the estate of Anne Berkley, of the White House, Bardon Mill, in the County of Northumberland, spinster, who died there on the 8th day of March, 1945, 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 25th day of June, 1946.

E. J. O'FARRELL, Registrar,  
Nairobi, 5th June, 1946. *Supreme Court of Kenya.*

## GENERAL NOTICE No. 952

IN HIS MAJESTY'S SUPREME COURT OF KENYA  
AT NAIROBI  
PROBATE AND ADMINISTRATION  
CAUSE No. 86 OF 1946

Re *Charles Edwin Lane, deceased*  
and

*In the matter of an application for re-sealing in the Colony and Protectorate of Kenya of a certified copy of the grant of letters of administration with copy of will annexed granted by His Majesty's High Court of Uganda at Kampala.*

TAKE NOTICE that an application has been made by Messrs. Hamilton, Harrison and Mathews, Advocates, Nairobi, for and on behalf of William Adams Hunter and Charles Leslie Holcom, of Kampala, the administrators and the attorneys of Margaret Elizabeth Lane, the sole executrix named in the will of the deceased, of Kampala, for re-sealing in the Colony and Protectorate of Kenya of a certified copy of the grant of letters of administration with copy of will annexed granted by His Majesty's High Court of Uganda at Kampala in the estate of Charles Edwin Lane, of Kampala, Uganda, the above-named deceased, who died at Kampala on the 26th day of October, 1945, 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 25th day of June, 1946.

E. J. O'FARRELL, Registrar,  
Nairobi, 5th June, 1946. *Supreme Court of Kenya.*

## GENERAL NOTICE No. 953

IN HIS MAJESTY'S SUPREME COURT OF KENYA  
AT MOMBASA DISTRICT REGISTRY  
PROBATE AND ADMINISTRATION  
CAUSE No. 33 OF 1946

*Notice of application for letters of administration intestate of the estate of Sabuhga binti Hemedi Limauli, late of Vanga, Kenya Protectorate, deceased.*

TAKE NOTICE that application having been made in this Court by Ali bin Mohamed El-Hijery, of Mombasa, Kenya Protectorate, for letters of administration intestate of the estate of Sabuhga binti Hemedi Limauli, late of Vanga aforesaid, who died at Vanga on the 14th day of July, 1943, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 25th day of June, 1946.

J. A. ANGUS,  
Mombasa, *Acting District Registrar,*  
5th June, 1946. *H.M. Supreme Court of Kenya.*

## GENERAL NOTICE No. 954

IN HIS MAJESTY'S SUPREME COURT OF KENYA  
AT MOMBASA DISTRICT REGISTRY  
PROBATE AND ADMINISTRATION  
CAUSE No. 34 OF 1946

*Notice of application for letters of administration intestate of the estate of Asha binti Issa, late of Mombasa, Kenya Protectorate, deceased.*

TAKE NOTICE that application having been made in this Court by Said bin Mbarak Bismir, of Mombasa, Kenya Protectorate, for letters of administration intestate of the estate of Asha binti Issa, late of Mombasa aforesaid, who died at Mombasa on the 13th day of April, 1946, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 25th day of June, 1946.

J. A. ANGUS,  
Mombasa, *Acting District Registrar,*  
5th June, 1946. *H.M. Supreme Court of Kenya.*

## GENERAL NOTICE No. 955

## NOTICE OF DISSOLUTION

NOTICE is hereby given that the partnership heretofore subsisting between Jenabai d/o Ismail Mohamed w/o Abdul Sultan, Akberali Jadavji Bhimani and Abdul Malek Gulamali, carrying on the business of general retail trade on Plot No. 3, Homa-Bay, Kisii District, in the Colony of Kenya, under the style or firm of Jubilee Emporium, has been dissolved as from the 15th day of April, 1946, by the retirement of the said Jenabai and Akberali Jadavji Bhimani.

All debts due to and owing by the said late partnership will be received and paid by the said Abdul Malek Gulamali, who will carry on the said business under the same name or style of Jubilee Emporium.

JENABAI,  
AKBERALI JADAVJI BHIMANI,  
*Retiring partners.*  
ABDUL MALEK GULAMALI,  
*Continuing partner.*

## GENERAL NOTICE No. 956

THE FRAUDULENT TRANSFER OF BUSINESSES  
ORDINANCE, 1930

NOTICE is hereby given that the business of retail native trade carried on by Mr. Abdul Malek Gulamali under the name or style of A. Malek & Sons on Plot No. 2, Rusinga Trading Centre, Kisii District, has as from the 15th day of April, 1946, been transferred to Mr. Abdul Sultan Gulamali, also of Rusinga aforesaid.

The address of the transferee is Rusinga, P.O. Kisii.

The address of the transferor is also Rusinga, P.O. Kisii.

The transferee will carry on the business at the same place and under the same name or style of A. Malek & Sons.

The transferee does not assume or intend to assume any liability incurred by the transferor in the said business up to and including 14th April, 1946.

ABDUL MALEK GULAMALI, *Transferee.*  
ABDUL SULTAN GULAMALI, *Transferor.*

## GENERAL NOTICE No. 957

HIS MAJESTY'S COURT OF APPEAL FOR EASTERN  
AFRICA

THE next sessions of His Majesty's Court of Appeal for Eastern Africa will be held at Mombasa on Monday, the 22nd July, 1946, at 10 a.m., or as soon thereafter as appeals can be heard.

To ensure appeals being set down for hearing at these sessions, memoranda of appeal should be filed with the Registrar, H.M. Supreme Court of Kenya, Nairobi, or with the District Registrar, H.M. Supreme Court of Kenya, Mombasa, not later than 1st July, 1946.

E. J. O'FARRELL, Registrar,  
Nairobi, 7th June, 1946. *H.M. Court of Appeal for E.A.*