



THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

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GOVERNMENT NOTICE No. 773

APPOINTMENTS

ARTHUR BOLTON, B.Sc., to be Plant Breeder, Department of Agriculture, with effect from 28th June, 1948.

JACK HOPLEY to be Labour Officer (Port), Mombasa, with effect from 1st July, 1948.

THOMAS PATERSON McBRIERLEY to be Acting Crown Counsel with effect from 9th August, 1948.

FERGUS BRUNSWICK WILSON, M.B.E., M.A. (CANTAB.), DIP.AGRIC. (CANTAB.), A.I.C.T.A., to be an Agricultural Officer, Department of Agriculture, with effect from 6th February, 1948.

CORRIGENDUM

The name "Oscar John Mason" appearing in Government Notice No. 628 of 6th July, 1948, should read "Oscar Jack Mason".

C. H. THORNLEY,
Deputy Chief Secretary.

GOVERNMENT NOTICE No. 774

THE GAME ORDINANCE

HONORARY GAME WARDEN—APPOINTMENT

IN EXERCISE of the powers thereunto enabling me, I hereby appoint—

BRIGADIER SIR FRANCIS WILLIAM CREWE FETHERSTON-GODLEY,
O.B.E.,

to be an Honorary Game Warden.

Nairobi,
9th August, 1948.

A. T. A. RITCHIE,
Game Warden.

GOVERNMENT NOTICE No. 775

(Def. 30/18/1/1.)

THE EFFICIENCY DECORATION

WHEREAS by Royal Warrant dated the 23rd day of September, 1930, it was ordained that the Efficiency Decoration shall be conferred in accordance with the rules and ordinances contained in such Warrant and under such regulations in amplification thereof as may be issued by His Excellency the Governor, with the approval of the King's Most Excellent Majesty:

And whereas such regulations were issued by His Excellency the Governor on the 23rd day of October, 1935, and on the 25th day of October, 1946:

Now be it known that by virtue of the powers contained in such regulations the Efficiency Decoration has been awarded, on the authority of His Excellency the Governor to—

MAJOR C. E. ONSLOW.

Nairobi,
9th August, 1948.

C. H. THORNLEY,
Deputy Chief Secretary.

GOVERNMENT NOTICE No. 776

(B./Rds. 26/5/11/7)

THE TRAFFIC ORDINANCE

APPOINTMENT

IN EXERCISE of the powers conferred upon him by section 4 of the Traffic Ordinance, 1928, His Excellency the Governor's Deputy has been pleased to appoint the District Commissioner, Nanyuki, to be a Licensing Officer for the purposes of the said Ordinance.

By Command of His Excellency the Governor's Deputy.

Nairobi,
11th August, 1948.

C. H. THORNLEY,
Deputy Chief Secretary.

GOVERNMENT NOTICE No. 777

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

ALEX. M. WILKIE,
Acting Clerk to the Legislative Council.

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF A KENYA POLICE FORCE RESERVE

ARRANGEMENT OF SECTIONS

SECTION

- 1—Short title.
- 2—Interpretation.
- 3—Establishment of Kenya Police Reserve.
- 4—Who may be Reserve police officers.
- 5—Employment of Reserve.
- 6—Classification of Reserve officers.
- 7—Oath of allegiance.
- 8—Minimum service in the Reserve.

SECTION

- 9—Calling out in emergency.
- 10—Reserve to be issued with arms, etc.
- 11—Provisions of Police Ordinance, 1930, may be applied to Reserve.
- 12—Compensation on death or injury on duty.
- 13—Regulations.

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

Short title.

1. This Ordinance may be cited as the Kenya Police Force Reserve Ordinance, 1948.

Interpretation.

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

“arms” includes firearms;

5

“Commissioner” means the Commissioner of Police;

“emergency” means any state of affairs which, in the opinion of the Commissioner, constitutes a danger to peace and good order;

“Member” means the Member of the Executive Council¹⁰ of the Colony, for the time being, responsible for Law and Order;

“Reserve police officer” means a member of the Kenya Police Reserve;

“Reserve” means the Kenya Police Reserve established¹⁵ under the provisions of section 3 of this Ordinance, and includes any part of such Reserve.

Establishment of Kenya Police Reserve.

3. There is hereby established a police force reserve, which shall be known as the Kenya Police Reserve.

Who may be Reserve police officers.

4. The Reserve shall consist of such persons, resident in²⁰ the Colony, who, have attained the age of eighteen years, volunteer for service in the Reserve and, are considered by the Commissioner to be suitable for enrolment as Reserve police officers.

Employment of Reserve.

5. The Reserve may be employed in the Colony for²⁵ assisting the Kenya Police Force in the maintenance of law and order, the prevention and detection of crime and the apprehension of offenders, and, in the performance of such duties Reserve police officers may carry such arms as may be approved by the Member.

30

Classification of Reserve officers.

6. The Reserve shall be divided into two classes as follows:—

“Class A” shall consist of Reserve police officers who upon enrolment undertake, in writing, to carry out—

(a) such police duties as they may be required to do³⁵ by the Commissioner; and

(b) such training as may be ordered by the Commissioner;

“Class B” shall consist of Reserve police officers who upon enrolment undertake, in writing, to carry out—

(a) when called upon so to do, during an emergency, such police duties as the Commissioner or any officer authorized, in writing, in that behalf, by the Commissioner, may determine; and

(b) such training as may be ordered by the Commissioner.

7. (1) Every Reserve police officer shall, on enrolment, make the following declaration of allegiance in such manner as he may declare to be most binding on his conscience:—

Oath of allegiance.

I, A.B., do solemnly and sincerely declare that I will be faithful and bear true allegiance to His Majesty King George the Sixth, his heirs and successors, and that I will faithfully serve His Majesty the King, his heirs and successors, during my service in the Kenya Police Reserve, and will obey all orders of the Governor and of the officers placed over me, and will subject myself to all Ordinances, orders and regulations, from time to time in force, relating to the Reserve.

Signature or thumb print of Reserve police officer ...

Declared } at this
Affirmed }

day of, 19.....

Before me

(2) Such declaration shall be made before a magistrate, justice of the peace, officer of the Kenya Police Force of or above the rank of asistant inspector or a senior officer of the Reserve, and shall be signed by the person making the declaration or, if he is illiterate, he shall affix his thumb print thereto.

8. Every Reserve police officer enrolled under the provisions of this Ordinance shall serve in the Reserve for a minimum period of two years and thereafter may re-engage, for further service, for periods of two years.

Minimum service in the Reserve.

9. (1) The Commissioner may, in such manner as he may determine, call out all or any Reserve police officers during an emergency, and when so called out they shall remain on duty until released from duty by the Commissioner.

Calling out in emergency.

(2) Where any police officer for the time being in charge of the Kenya Police Force in any province, or any police officer of or above the rank of superintendent, considers that any imminent danger has arisen with which he cannot efficiently deal by use of the police officers under his control, he may call out all or any of the Reserve police officers resident in the area under his jurisdiction and in such case he shall, as soon as practicable, report to the Commissioner the action he has taken and his reasons for such action.

10. The Reserve shall be issued with such uniform, arms, ammunition and equipment as may be approved by the Member.

Reserve to be issued with arms, etc.

11. The Member may, by notice in the Gazette, apply any of the provisions of the Police Ordinance, 1930, to such class of Reserve police officers and during such time as he shall, in such notice specify, and such officers shall thereupon be subject to such provisions, and have all of the powers, privileges and immunities conferred thereby.

Provisions of Police Ordinance, 1930, may be applied to Reserve. No. 64 of 1930.

Compensation
on death or
injury on duty.

12. (1) If any Reserve police officer receives any permanent or temporary disablement, attributable to any wound or injury received or sickness contracted by him in the performance of any duty carried out under the provisions of this Ordinance, or during the carrying out of any training 5 which he has been required to undertake, the Governor in Council may award such Reserve police officer such compensation, gratuity or pension as to him may seem just.

(2) If any Reserve police officer is killed in the performance by him of Reserve Police Force duty or during the carrying 10 out by him of any training which he has been required by the Commissioner to undertake, the Governor in Council may grant to the dependants of such Reserve police officer such pension or allowance as to him may seem just.

(3) No pension, compensation, allowance or gratuity, paid 15 under the provisions of this section, shall be assigned, transferred or be liable to be attached or levied upon by any process of law.

Regulations.

13. The Governor in Council may make regulations for all or any of the following matters:— 20

- (a) The numerical establishment of the Reserve, the conditions of service, the grades, ranks, appointments and for determining the seniority of the officers of such Reserve;
- (b) the promotion, leave, resignation, release and dis- 25 missal from the Reserve, of Reserve police officers;
- (c) the disbandment of any part of the Reserve;
- (d) the pay and allowances of Reserve police officers;
- (e) the discipline of the Reserve;
- (f) the conveyance of Reserve police officers and their 30 equipment to any place of duty;
- (g) the general control and management of the Reserve;
- (h) the transfer of Reserve police officers from one class to another; and
- (i) the provisioning and equipping of Reserve police 35 officers.

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to establish a Reserve Police Force, to be known as the Kenya Police Reserve.

Clause 3 of the Bill seeks to effect the establishment of the Reserve.

Clause 4 seeks to provide that members of the Reserve shall consist of such persons, over the age of eighteen years, who volunteer for service and are considered by the Commissioner to be suitable for enrolment.

Clause 5 provides that the Reserve may be employed in assisting the Kenya Police Force in the maintenance of law and order, the prevention and detection of crime and the apprehension of offenders. It also seeks to empower Reserve police officers to carry such arms, as may be approved by the Member, whilst in the performance of police duties.

Clause 6 divides the Reserve into two classes, "A" and "B"; class A to consist of Reserve police officers who upon enrolment, undertake in writing, to carry out such police duties as they may be required to do, by the Commissioner, and such training as the Commissioner may order; class B to consist of Reserve police officers who, upon enrolment undertake in writing, to carry out police duties during an emergency.

"Emergency" is defined in clause 2 as any state of affairs which in the opinion of the Commissioner, constitutes a danger to peace and good order.

Clause 7 provides that every Reserve police officer shall, upon enrolment, make a declaration of allegiance; the form of declaration is set out in sub-clause (1) of the clause.

Clause 8 provides that Reserve police officers shall enrol for a minimum period of two years and may, thereafter, re-engage for further service, for periods of two years.

Sub-clause (1) of clause 9 seeks to enable the Commissioner to call out Reserve police officers during an emergency and provides that when so called out, Reserve police officers shall remain on duty until released by the Commissioner; sub-clause (2) enables the police officer, for the time being in charge of the Kenya Police Force in any province, or any other police officer of or above the rank of superintendent, to call out Reserve police officers, resident in the area under his jurisdiction, if he considers that a situation has arisen, which he cannot efficiently deal with by the use of the regular police officers under his command. It also provides that in such cases a report must be submitted to the Commissioner of the action taken and the reason for such action.

Clause 10 provides that the Reserve shall be issued with such uniform, arms, ammunition and equipment as may be approved by the Member.

Clause 11 seeks to enable the Member, by notice in the Gazette, to apply any of the provisions of the Police Ordinance, 1930, to such classes of Reserve police officers, and during such time, as shall be specified in the notice.

Sub-clause (1) of clause 12 enables the Governor in Council to award such compensation, gratuity or pension as to him may seem just, to any Reserve police officer permanently or temporarily disabled by reason of police duty or training.

Sub-clause (2) of the clause enables the Governor in Council to grant to the dependants of Reserve police officers killed in the performance of police duty or training, such compensation or allowances as he considers just; sub-clause (3) provides that any such compensation, allowance or gratuity shall not be assigned, transferred or liable to attachment, by any process of law.

By *clause 13* the Governor in Council is enabled to make regulations regarding the government, establishment, discipline, etc., of the Reserve Police Force.

In view of the fact that equipment and uniforms, additional to those already budgeted for, are considered necessary, and of the fact that the cost of rifles is more than originally estimated, it is considered that, if this Bill becomes law, a further sum of £10,000 will be required for 1948. It is, however, considered that the annual recurrent expenditure will not exceed £14,000, i.e. the sum provided for this branch of the Police Force, for 1948.

Nairobi,
11th August, 1948.

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

GOVERNMENT NOTICE No. 778

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

ALEX. M. WILKIE,
Acting Clerk to the Legislative Council.

**A BILL TO AMEND AND CONSOLIDATE THE LAW
RELATING TO THE PROTECTION OF TROUT
AND THE REGULATION OF TROUT FISHING
IN THE COLONY**

ARRANGEMENT OF SECTIONS

SECTION

- 1—Short title.
- 2—Interpretation.
- 3—Appointment of licensing officers.
- 4—Powers of Game Warden.
- 5—Protection of trout against unauthorized killing.
- 6—Unlawful to wear uniform, etc., damage property or transfer or lend licences.
- 7—Issue of, and fees payable for, licences.
- 8—Appointment of honorary fish wardens.
- 9—Members of clubs, etc., may have exclusive rights.

SECTION

- 10—Powers to demand certain information.
- 11—Powers of entry.
- 12—Powers of seizure.
- 13—Powers of arrest.
- 14—Offences and penalties.
- 15—Cancellation of licence and disqualification on conviction.
- 16—Burden of proof.
- 17—Saving.
- 18—Exception.
- 19—Power to make rules.
- 20—Repeal.

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

Short title.

1. This Ordinance may be cited as the Trout Ordinance, 1948.

Interpretation.

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

“artificial lure” means any bait or lure, containing no edible substance, furnished with a single hook;

“competent authority” means any magistrate, justice of the peace, police officer, forest officer, the Game Warden, or any employee of the Game Department, authorized in writing by the Game Warden, to be a competent authority; 10

“employee of the Game Department” includes an honorary game warden and an honorary fish warden;

“fishing camp” means any building established and maintained by the Game Department for the use of fishermen;

“fish scout” means any person appointed, in writing, by the Game Warden to be a fish scout, and wearing the uniform of the Game Department; 15

No. 26 of 1941.

“forest officer” has the meaning assigned to it in section 2 of the Forest Ordinance, 1941, but does not include a forest guard. 20

“Game Department” means the Game Department of the Colony and Protectorate of Kenya;

“Game Warden” means the person for the time being performing the duties of Game Warden;

“licence” means a trout fishing licence issued under the provisions of this Ordinance; 25

“licensing officer” means any administrative officer and any other person whom the Member, by notice in the Gazette, appoints to be a licensing officer for the purposes of this Ordinance; 30

“Member” means the Member of the Executive Council of the Colony, for the time being, responsible for Natural Resources;

“police officer” means any officer of the Kenya Police Force, of or above the rank of assistant inspector (African);

“private land” means any land owned without a title from the Crown, any land held or occupied under a conveyance, lease or licence from the Crown but does not include any land, being a portion of a native land unit, within the meaning of the Native Lands Trust Ordinance, 1938, any of the lands set out in the Fourth, Fifth, Sixth, Eighth and Ninth Schedules to the Crown Lands Ordinance, or any land held by virtue of a temporary occupation licence issued under the provisions of the Crown Lands Ordinance;

No. 28 of 1938.

Cap. 140.

Cap. 140.

10 “rod and line” means a single rod and line;

“trout” means any fish of the salmon family commonly known as trout, and includes the eggs and young thereof;

“trout fishing book” means a book carried by an employee of the Game Department for the purpose of having recorded therein the particulars referred to in section 10 of this Ordinance.

3. The Member may, by notice in the Gazette, appoint licensing officers for the purposes of this Ordinance.

Appointment of licensing officers.

4. The Game Warden may, from time to time, by notice in the Gazette—

Powers of Game Warden.

- (a) declare any water to be open for the purposes of trout fishing either generally by any person, or exclusively by the members of any specified club or association;
- 25 (b) declare a close season for the purpose of trout fishing in any water, or in any portion of any water, which has previously been declared open for trout fishing under the provisions of paragraph (a) of this section;
- (c) specify the maximum number of trout, of any species, which may be taken from any water by any person, during any specified period;
- 30 (d) stipulate the minimum size, below which a trout taken from any water, shall not be killed, but shall be returned to the water;
- (e) specify the size and type of any hook or lure, which may be used in any water for the purpose of fishing for, capturing, or killing trout;
- 35 (f) specify the maximum number of persons who may fish for trout in any water, or in any portion of any water, during any specified period; and
- 40 (g) regulate the entry into, and the use and occupation of a fishing camp, by any person, and prescribe the fees to be paid therefor.

5. Save as provided in this Ordinance, any person who commits any of the following acts, shall be guilty of an offence:—

Protection of trout against unauthorized killing.

- (a) fishes for, captures or kills any trout in any water unless he is authorized so to do by, and he is in possession of, a valid licence issued to him under the provisions of this Ordinance;
- 50 (b) fishes for, captures or kills any trout, except with a rod and line held in the hand, and furnished with an artificial lure:

55 Provided that, where more than one lure is used at the same time and on the same line, no lure shall be nearer than twelve inches to any other lure:

Provided further that nothing in this paragraph contained shall be deemed to prohibit the use of a landing net, to remove from the water any trout being lawfully taken under the provisions of this Ordinance;

- (c) uses any electrical device, poison, explosive or other substance, for the purpose of killing, stunning or disabling trout, or in any way rendering trout more easily caught;
- (d) enters upon any private land for the purpose of fishing for, capturing or killing trout, except with the prior permission of the owner, his agent or the occupier of such land; ⁵

- (e) liberates or places any trout in any lake, river, stream or other water, without the prior consent in writing, of the Game Warden, or of any person authorized in writing for that purpose by the Game Warden: ¹⁰

Provided that nothing in this paragraph contained shall be deemed to prohibit the return by a fisherman, to the water from, and at the approximate point at, which it was taken, of any trout which he has caught and does not wish to keep; ¹⁵

- (f) is in possession of any trout, captured or killed in contravention of any of the provisions of this Ordinance;
- (g) in any water, fishes for, captures or kills, any trout, unless such water has been declared by the Game Warden to be open for the purpose of trout fishing: ²⁰

Provided that where any water has been declared by the Game Warden to be open for the purposes of trout fishing exclusively by the members of any club or association, no person other than a member of such club or association shall fish for trout in such water, unless he has been authorized so to do by such club or association; ²⁵

- (h) fishes for, captures or kills any trout in any water in respect of which the Game Warden has declared a close season, during such close season; ³⁰

- (i) in any water, fishes for, captures or kills any trout in excess of the number specified by the Game Warden as the maximum number which may be taken from such water during any specified period of time; ³⁵

- (j) in any water, kills any trout, the size of which is less than the minimum size stipulated by the Game Warden in respect of such water;

- (k) in any water, fishes for, captures or kills any trout with any hook or lure, which does not conform to the requirements of any notice issued by the Game Warden, under the provisions of paragraph (e) of section 4 of this Ordinance; ⁴⁰

- (l) enters on any water, for the purpose of fishing for trout, if he has been informed by any person, authorized in writing for that purpose by the Game Warden, that the maximum number of persons lawfully entitled to be on such water for the purpose of trout fishing, have already entered on such water; ⁴⁵ ⁵⁰

- (m) enters, uses or occupies any fishing camp in contravention of any regulations in force in connexion with such camp, or refuses to pay any prescribed fee when requested so to do by an employee of the Game Department; ⁵⁵

- (n) buys, sells, barter, exposes for sale or barter, or has in his possession for sale or barter, any trout, without the permission in writing of the Game Warden:

Provided that it shall not be an offence to purchase trout from a person lawfully permitted to sell such trout; ⁶⁰

Provided further that the provisions of this paragraph shall not apply to any person buying, selling, bartering or exposing for sale or barter, or having in his possession for sale or barter, any trout which has been canned, frozen, cured, salted, pickled, dried or otherwise preserved, outside the Colony and lawfully imported into the Colony.

6. Any person who—

(a) without lawful authority, wears any uniform or exhibits any badge, card or mark, authorized by the Game Warden to be worn, or carried, by any employee of the Game Department;

Unlawful to wear uniform, etc., damage property or transfer or lend licences.

(b) damages, alters, or obliterates any dam, bridge, structure or river improvement work, fishing camp, mark, sign or notice board lawfully constructed, erected or issued by, or under the authority of the Game Warden;

(c) transfers, or lends any licence, issued to him, to any other person, or is in possession of any licence issued to any other person under the provisions of this Ordinance;

(d) is disqualified from holding a licence under the provisions of this Ordinance, or has been refused a licence, and obtains or attempts to obtain a licence, under the provisions of this Ordinance, without disclosing to the licensing officer such disqualification or such refusal,

shall be guilty of an offence.

7. (1) A licensing officer may, in his discretion, issue trout licences, for which shall be paid the following fees:—

Issue of, and fees payable for, licences.

	Sh.	cts.
(a) a yearly licence	25	00
(b) a fortnightly licence	10	00
(c) a forty-eight-hourly licence...	3	00

(2) (a) A yearly licence shall remain in force for a period of one year from the date of issue thereof.

(b) A fortnightly licence shall remain in force for fourteen consecutive days, from and including the day on which it is dated by the licensing officer to commence, but may, within twelve months from the date of issue thereof, be converted into a yearly licence, on payment of the difference between the fees for a fortnightly and a yearly licence:

Provided that a licence so converted, shall expire one year from the date on which the fortnightly licence from which it was converted, was dated to commence.

(c) A forty-eight-hourly licence shall remain in force for forty-eight consecutive hours, from and including the hour of the day on which it is dated and timed by the licensing officer, to commence.

(3) Any licensee who loses his licence may apply to the licensing officer who issued such licence, for the issue of a duplicate licence, and such licensing officer may, upon payment by such person of a fee of two shillings, issue to such person a duplicate licence.

8. The Game Warden may, by notice in the Gazette, appoint persons to be honorary fish wardens for a period of five years and may, in like manner, renew such appointments for further periods of five years on the expiration of each such period.

Appointment of honorary fish wardens.

Members of clubs, etc., may have exclusive rights.

9. Where the Game Warden has declared any water to be open for fishing exclusively by members of any club or association, he may, by notice in the Gazette, declare that—

(a) such members of such club or association as he shall, in such notice, specify, shall be club or association fish wardens, as the case may be, and that such club or association fish wardens may, on and in the immediate vicinity of such water as may be specified in such notice, exercise the powers conferred upon honorary fish wardens under the provisions of this Ordinance;

(b) persons in the employ of any such club or association as scouts, and wearing the uniform of such club or association, may, on and in the immediate vicinity of such water, as may be specified in such notice, exercise the powers conferred upon fish scouts under the provisions of this Ordinance.

Powers to demand certain information.

10. (1) Any competent authority may require any person fishing for, capturing, or possessing, trout, or appearing about to fish for or capture trout, or appearing to have fished for trout, to give his name and address, and to produce for inspection his licence, and any trout, bait or lure in his possession.

(2) Any fish scout may require any person fishing for, capturing or possessing, trout, or appearing about to fish for or capture trout, or appearing to have fished for trout, to sign his name and to write his address and the number of trout killed by him, in a trout fishing book.

(3) Any person who, upon being so required to give his name and address or to produce for inspection his licence and any trout, bait or lure in his possession, or to sign his name and write his address, and the number of trout killed by him, in a trout fishing book, without reasonable cause refuses or neglects to comply with such request, or gives a false name or address, or makes an illegible or false entry in a trout fishing book, shall be guilty of an offence.

Powers of entry.

11. Any competent authority, or any other person authorized in writing by the Game Warden to act under the provisions of this section, may enter upon any land for the purpose of preventing or detecting offences against the provisions of this Ordinance.

Powers of seizure.

12. (1) Any competent authority or honorary fish warden may seize any trout, rod, tackle, net, bait or lure, machine, instrument, or other appliance or substance, which he has reason to believe is about to be, is being, or has been, used in contravention of the provisions of this Ordinance.

(2) Any rod, tackle, net, bait or lure, machine, instrument, or other appliance or substance, and where possible, any trout seized under the provisions of sub-section (1) of this section, shall be taken before the nearest court having jurisdiction within the area where such seizure took place, and such court may order that any such rod, tackle, net, bait or lure, machine, instrument, or other appliance or substance, shall be forfeited to His Majesty, or returned to the person from whom it was seized.

Powers of arrest.

13. (1) Where any person is seen committing an offence against any of the provisions of this Ordinance, or is reasonably suspected of having committed any such offence, and such person fails or refuses on demand by any competent authority to give his name and address, or there is reason to believe that the name and address given by him is incorrect, or that he will abscond, such competent authority may, without a warrant, arrest such person.

(2) Any person arrested under the provisions of sub-section (1) of this section shall be taken as soon as possible before the nearest court having jurisdiction in the area within which the alleged offence took place, and shall not be detained without a warrant, longer than is necessary for such purpose.

14. Any person who is convicted of any offence against any of the provisions of this Ordinance, shall be liable to a fine not exceeding fifty pounds or, in default of payment, to imprisonment for a term not exceeding three months.

Offences and penalties.

15. (1) A conviction of a licensee for any offence against any of the provisions of this Ordinance shall, unless the Game Warden otherwise directs, have the effect of cancelling any licence issued to him under the provisions of this Ordinance, as from the date of such conviction.

Cancellation of licence and disqualification on conviction.

15 (2) Any person convicted of an offence against any of the provisions of this Ordinance shall, unless the Game Warden otherwise directs, be disqualified from holding any licence under the provisions of this Ordinance for a period of three years from the date of such conviction.

20 16. Nothing in this Ordinance contained shall be deemed to affect any trout fishing rights or privileges expressly conferred upon any person, or body of persons, by any lease or grant issued or made by the Crown, before the commencement of this Ordinance.

Saving.

25 17. Notwithstanding anything in this Ordinance contained, the Game Warden may, in the interests of conserving trout, authorize any person to fish for, capture or kill any trout in any manner, in any water, and at any time.

Exception.

18. The Member may make rules—

Power to make rules.

30 (a) prescribing the form of any licence to be issued under the provisions of this Ordinance; and
(b) generally for the better carrying out of the provisions of this Ordinance.

35 19. The Trout Protection Ordinance, 1928, is hereby repealed:

Repeal.
No. 24 of 1928.

Provided that any licence issued under the Trout Protection Ordinance, 1928, and still in force at the date of the commencement of this Ordinance, shall be deemed to have been issued under, and to be subject to, the provisions of this Ordinance, and shall continue in force for the remainder of the period for which such licence was issued.

No. 24 of 1928.

MEMORANDUM OF OBJECTS AND REASONS

The Trout Protection Ordinance, 1928, was enacted when Government first decided to take over the control of, and the full responsibility for, trout conservation and trout fishing in Kenya. That Ordinance is, in view of the considerable increase in trout fishing and the need for a much wider measure of control, now considered out of date. The object of this Bill is to bring about more effective control, not only of trout fishing within the Colony, but also of the waters in which such trout are available.

In recent years fishing camps and angling clubs and associations have come into being, and as the camps are a necessary adjunct to trout fishing in view of the isolation of certain of the Colony's fishing rivers, and clubs and associations are of great assistance in the proper control of trout fishing, provision has been made to give them some measure of protection.

Clause 4 of the Bill seeks to make provision enabling the Game Warden to close fishing waters temporarily for any purpose he considers desirable, to limit the number of rods on any river or portion of a river, and to regulate the use of fishing camps.

Clause 5 of the Bill seeks to impose further controls of fishing methods.

Clause 6 seeks to prevent the impersonation by any person, of a servant of the Game Department; to prevent sabotage; and to make it an offence to transfer or lend licences, a practice which is tending to become prevalent.

By *Clause 7* it is sought to make provision for 48-hour licences instead of the 24-hour licences as at present provided for. It is considered that 48-hour licences will meet the requirements of anglers, and that no decrease in revenue will result from the alteration.

Clause 8 seeks to empower members of specified clubs and associations, or their servants, to protect the waters used by such clubs or associations, and in which such clubs and associations have rights.

Clauses 10, 11, 12 and 13 of the Bill seek to enable competent authorities, as defined in clause 2, to take any necessary action to prevent offences.

Other clauses of the bill are adapted from the present Ordinance, and deal with methods of control generally, and with penalties which may be inflicted for breaches of the provisions of the Ordinance. It will be noted that the short title to the Bill has been changed from that of the present Ordinance by omitting the word "Protection", thus bringing the short title into line with that of the Game Ordinance.

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

Nairobi,
4th August, 1948.

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

GOVERNMENT NOTICE No. 779

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

ALEX. M. WILKIE,
Acting Clerk to the Legislative Council.

A BILL TO AMEND THE SPECIAL DISTRICTS
(ADMINISTRATION) ORDINANCE, 1934

ARRANGEMENT OF SECTIONS

SECTION	SECTION
1—Short title and commencement.	8—Arrest without warrant and impounding of cattle.
2—Amendment of section 4 of the principal Ordinance.	9—Amendment of section 19 of the principal Ordinance.
3—Arbitral tribunals.	10—Amendment of section 20 of the principal Ordinance.
4—Repeal of section 6 of the principal Ordinance.	11—Amendment of section 23 of the principal Ordinance.
5—Renumbering of sections.	12—Distress.
6—Amendment of section 15 of the principal Ordinance.	
7—Amendment of section 16 of the principal Ordinance.	

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 Special Districts (Administration) (Amendment) Ordinance, 1948, and shall be read as one with the Special Districts (Administration) Ordinance, 1934, hereinafter referred to as the principal Ordinance, and shall not come into operation unless and until the Governor has declared by notice in the Gazette that it is His Majesty's pleasure not to disallow the same.

Short title and commencement.

2. Section 4 of the principal Ordinance is hereby amended by deleting the definition "tribesman" and substituting the following:—

Amendment of section 4 of the principal Ordinance.

"'tribesman' means and includes any person, male or female, who by birth or adoption belongs to any tribe resident or within any district or area to which this Ordinance has been applied, and includes a Somali;"

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

Repeal and replacement of section 5 of the principal Ordinance.

"5. (1) A Provincial Commissioner may, by order in writing, appoint any District Commissioner, within the Province under his jurisdiction, to be an arbitral tribunal, which shall exercise over tribesmen, within such area as shall be defined in such order, such jurisdiction as is conferred upon arbitral tribunals by this Ordinance.

Arbitral tribunals.

(2) A District Commissioner, appointed to be an arbitral tribunal, under the provisions of sub-section (1) of this section, shall, for each matter to be determined by such tribunal, appoint not less than four nor more than six elders of the tribe or tribes concerned in such matter, to sit with him as assessors at the hearing thereof; and such District Commissioner shall obtain the opinions of each of such assessors as to the determination of any matter being heard by the tribunal, but shall not be bound by such opinions."

4. Section 6 of the principal Ordinance is hereby repealed.

Repeal of section 6 of the principal Ordinance.

5. The principal Ordinance is hereby amended by renumbering sections 7 to 17, both inclusive, as sections 6 to 16, respectively.

Renumbering of sections.

Amendment of
section 15 of
the principal
Ordinance.

6. Section 15 of the principal Ordinance is hereby amended—

(a) by deleting the words and commas “or the District Commissioner, as the case may be,” which appear in the second and third lines thereof; and

(b) by deleting the words “of not less than three-fourths of the members”, which appear in the second and third lines of paragraph (c) thereof.

Amendment of
section 16 of
the principal
Ordinance.

7. Section 16 of the principal Ordinance is hereby amended by deleting the last two lines thereof.

Insertion of new
section 17 in the
principal
Ordinance.

8. The principal Ordinance is hereby amended by inserting, immediately after section 16, the following new section:—

“Arrest without
warrant and
impounding of
cattle.

17. Any person who fails to comply with any order or direction given under the provisions of section 16 of this Ordinance, shall be guilty of an offence and may be arrested without a warrant by any police officer or tribal police officer who may also seize such cattle of such person as the officer, effecting the arrest, considers will equal in value the amount of any fine which may be inflicted upon such person for such offence; and any cattle so seized may be impounded until such time as the person arrested has been tried and acquitted for the alleged offence or until sold under the provisions of section 24 of this Ordinance.”.

Amendment of
section 19 of
the principal
Ordinance.

9. Section 19 of the principal Ordinance is hereby amended—

(a) by substituting the words “appointed as or an assessor on” for the words “a member of”, which appear in the first line thereof;

(b) by substituting the words “a tribunal or an assessor” for the words “a member of such tribunal”, which appear in the sixth line thereof; and

(c) by substituting the commas and words “, as a tribunal or an assessor,” for the words “as a member of such tribunal”, which appear in the seventh line thereof.

Amendment of
section 20 of
the principal
Ordinance.

10. Section 20 of the principal Ordinance is hereby amended—

(a) by substituting the word “assessor” for the words “member thereof”, which appear in the sixth line thereof; and

(b) by substituting the word “assessor” for the word “member”, which appears in the seventh line thereof.

Amendment of
section 23 of
the principal
Ordinance.

11. Section 23 of the principal Ordinance is hereby amended—

(a) by substituting a colon for the full stop at the end thereof; and

(b) by adding thereto the following provisos:—

“Provided that an arbitral tribunal may, for reasons to be recorded, conduct such inquiry according to the native law and custom applicable to the person concerned:

Provided further that if an arbitral tribunal admits any evidence, at an inquiry, which, though admissible according to native law and custom, does not strictly comply with the law in force relating to evidence, it shall record its reasons for admitting such evidence.”.

Repeal and
replacement of
section 24 of the
principal
Ordinance.

12. Section 24 of the principal Ordinance is hereby repealed and the following substituted therefor:—

“Distress.

24. Any fine imposed upon any person under the provisions of this Ordinance may be collected in the same manner as is provided in section 3 of the Stock and Produce Theft (Levy of Fines) Ordinance, 1933.

For the purposes of this section 'fine' shall have the same meaning as is assigned to it in sub-section (2) of section 3 of such Ordinance."

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to amend the Special Districts (Administration) Ordinance, 1934.

Clause 1 of the Bill provides that the Ordinance shall not come into force until such time as His Majesty has given his consent to the Bill becoming law. The Royal Instructions require a measure such as this to contain a reservation clause.

Clause 2 deletes the definition of "tribesman" and substitutes a new definition to include females. Considerable difficulty has been created because of the existing definition being confined to male persons and it is considered that by the inclusion of females, better control of the inhabitants of such areas as the Northern District, will be possible. At the present time a considerable number of women are leaving the Northern District without passports and are seeking residence in the larger towns of Kenya. Such migration is undesirable and, if it becomes obligatory for women to obtain passports before leaving their district, it is considered that a much more satisfactory check on such migrations will be possible.

Clause 3 seeks to replace section 5 of the principal Ordinance. The present practice regarding the constitution of arbitral tribunals is to appoint an equal number of members of the tribes concerned in a dispute. When a dispute concerns two tribes, a decision by a tribunal becomes impossible, because the representatives of each tribe vote in the interests of their respective tribes and not always in accordance with principles which would lead to a solution of the dispute. It is considered that it would be more satisfactory if the District Commissioner of the district concerned were appointed as a tribunal sitting with assessors. The District Commissioner would be guided by the opinions of the assessors but would not be bound to give a decision in accordance with those opinions. The new section 3 seeks to give effect to this policy.

Clause 4 seeks to repeal section 6 of the principal Ordinance.

Clause 5 effects a consequential amendment which becomes necessary if clause 3 is approved.

Paragraph (a) of clause 6 is merely a consequential amendment; paragraph (b) seeks to amend paragraph (c) of section 15 of the principal Ordinance. This paragraph provides that an order may be made by the Provincial Commissioner in accordance with the views of not less than three-fourths of the members of an arbitral tribunal. The words "of not less than three-fourths of its members" are redundant if a District Commissioner becomes an arbitral tribunal.

Clause 7 seeks to delete the last two lines of section 16 of the principal Ordinance.

Clause 8 seeks to insert a new section 17 in the principal Ordinance, which provides that any person who fails to comply with any order or direction given by a Provincial Commissioner reserving grazing rights, prohibiting the use by any tribesman of any specified grazing or area of water or directing the removal of any village situate in close proximity to the frontier of the Colony, etc., shall be guilty of an offence and may be arrested without a warrant by any police officer or tribal police officer. It also provides that any police officer or tribal police officer may seize such cattle of the person failing to comply with any such order or direction, as he considers will be of equal value to any fine which may be inflicted on such person in connexion with his offence.

Clause 9 amends section 19 and is consequential on the amendment of section 5.

Clause 10 is also a consequential amendment.

Clause 11 seeks to amend section 23 of the principal Ordinance which provides that any inquiry under the provisions of the Ordinance shall be conducted in accordance with the law relating to Criminal Procedure. This has been found to be impracticable as it is far too restrictive and, in the interests of justice, it is considered that it should be made possible for an inquiry to be conducted in accordance with native law and custom. It provides further, that if an arbitral tribunal admits any evidence at an inquiry, which, though admissible according to native law and custom, does not strictly comply with the law in force relating to the admissibility of evidence, the tribunal shall record its reasons for admitting such evidence.

Clause 12 seeks to repeal and replace section 24 of the principal Ordinance to enable any fine to be collected in the same manner as is provided for in section 3 of the Stock and Produce Theft (Levy of Fines) Ordinance, 1933.

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

Nairobi,

12th August, 1948.

S. W. P. FOSTER SUTTON,

Attorney General.

GOVERNMENT NOTICE No. 780

(J. & L. 12/6/1.)

THE COURTS ORDINANCE

APPOINTMENT

IN EXERCISE of the powers conferred upon His Excellency the Governor by section 6 of the Courts Ordinance, 1931, the Governor's Deputy has been pleased to appoint, with effect from the 9th day of August, 1948—

ALAN FIONN HOLFORD-WALKER

to be a Magistrate of the Second Class, with powers to hold a subordinate Court of the Second Class in the Northern Kavirondo District whilst holding his present appointment as District Officer, North Kavirondo District, Nyanza Province.

By Command of the Governor's Deputy.

Nairobi,

9th August, 1948.

S. W. P. FOSTER SUTTON,

Member for Law and Order.

GOVERNMENT NOTICE No. 781

(A. J. & L. 12/6/1.)

THE COURTS ORDINANCE

APPOINTMENT

IN EXERCISE of the powers conferred upon His Excellency the Governor by section 6 of the Courts Ordinance, 1931, the Governor's Deputy has been pleased to appoint, with effect from the 9th day of August, 1948—

MICHAEL MACKENZIE SMITH

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

By Command of the Governor's Deputy.

Nairobi,

9th August, 1948.

S. W. P. FOSTER SUTTON,

Member for Law and Order.

GOVERNMENT NOTICE No. 782

(J. & L. 12/6/1.)

THE COURTS ORDINANCE

APPOINTMENT

IN EXERCISE of the powers conferred upon His Excellency the Governor by section 6 of the Courts Ordinance, 1931, the Governor's Deputy has been pleased to appoint, with effect from the 9th day of August, 1948—

DAVID CHARLES KENNEDY

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

By Command of the Governor's Deputy.

Nairobi,

9th August, 1948.

S. W. P. FOSTER SUTTON,

Member for Law and Order.

GOVERNMENT NOTICE No. 783

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

THE COURTS ORDINANCE

APPOINTMENT

IN EXERCISE of the powers conferred upon His Excellency the Governor by sections 6 and 7 of the Courts Ordinance, 1931, and all other powers thereunto enabling him, the Governor's Deputy has been pleased to appoint, with effect from the 10th day of August, 1948—

HUGH HANNAY

to be a Magistrate (a) with powers to hold a subordinate Court of the Third Class in the Kisumu-Londiani District of the Nyanza Province; and (b) with powers to hold a subordinate Court of the Second Class in the Kisumu-Londiani District of the Nyanza 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 172 of the Revised Edition).

By Command of the Governor's Deputy.

Nairobi,

10th August, 1948.

S. W. P. FOSTER SUTTON,

Member for Law and Order.

GOVERNMENT NOTICE No. 784

(GA. 6/1/3/156)

CENTRAL ADVISORY ANGLING BOARD OF KENYA

APPOINTMENT

WITH reference to Government Notice No. 591 of 25th June, 1946, it is notified for general information that

MAJOR EDWARD VERNON HART

has been appointed to the membership of the Central Advisory Angling Board, *vice* Howard Archer, Esq., resigned.

Nairobi,

10th August, 1948.

J. H. INGHAM,

for Member for Agriculture and Natural Resources.

GOVERNMENT NOTICE No. 785

THE NATIVE REGISTRATION ORDINANCE

CANCELLATION OF APPOINTMENTS

IN EXERCISE of the powers thereunto enabling me, I hereby cancel the undernoted appointments of honorary Registration Officers with effect from the dates shown against their names—

Captain John Frederick Dearden, Camp Commandant at the Mackinnon Road Camp of E.A. Construction Forces (Civil), from 25th July, 1948.

T. J. Thompson, Esq., Subukia, with effect from 26th July, 1948.

E. M. HYDE-CLARKE,
Labour Commissioner.

GOVERNMENT NOTICE No. 786

THE NATIVE REGISTRATION ORDINANCE

APPOINTMENT

IN EXERCISE of the powers thereunto enabling me, I hereby appoint—

MR. FELIX MURIGO KIGUTA,

registration clerk at the Labour Office, Nanyuki, to be a Registration Officer in the Nanyuki District with effect from 1st August, 1948.

Nairobi,

11th August, 1948.

E. M. HYDE-CLARKE,
Labour Commissioner.

GOVERNMENT NOTICE No. 787

THE NATIVE REGISTRATION ORDINANCE

APPOINTMENTS

IN EXERCISE of the powers thereunto enabling me, I hereby appoint Mr. James Maragua Mugo under the jurisdiction of Labour Officer, Nakuru, to be a Registration Officer in the Molo, Elburgon and Mau Summit areas with effect from 19th July, 1948.

I also hereby appoint—

Sheikh Mohamed bin Abdulla, Mudir of Gazi, with effect from 1st January, 1946,

Sheikh Salim bin Rashid, Liwali of Vanga, with effect from 1st July, 1946,

Sheikh Al-Amin bin Said Elmandhry, Mudir of Takaungu, with effect from 1st July, 1946,

to be Registration Officers.

Government Notice No. 733 dated 29th July, 1948, published in the Official Gazette, page 536, dated 3rd August, 1948, is hereby cancelled.

Nairobi,

10th August, 1948.

E. M. HYDE-CLARKE,
Labour Commissioner.

GOVERNMENT NOTICE No. 788

(Pr. C. 7)

THE DEFENCE (CONTROL OF PRICES) REGULATIONS

PRICE CONTROL APPOINTMENTS

IN EXERCISE of the powers conferred upon him by sub-regulation (1) of Regulation 3 of the Defence (Control of Prices) Regulations, 1945, His Excellency the Governor has been pleased to amend—

(a) Government Notice No. 893 dated the 23rd day of October, 1943, as amended by Government Notice No. 1217 dated the 17th day of December, 1947, by appointing Mr. P. F. Parfitt to be Acting Controller of Prices and Military Contracts, and Mr. P. H. Stephenson to be Acting Deputy Controller of Prices and Military Contracts for the Colony and Protectorate of Kenya during the absence of Mr. W. Grazebrook, M.C., from the said Colony and Protectorate;

(b) the Schedule to Government Notice No. 893 dated the 23rd day of October, 1943, by adding thereto, in the appropriate columns of the said Schedule, the following:—

First Column	Second Column	Third Column
The Marketing Officer	Hon. Assistant Price Inspector	Central Kavirondo
do.	do.	North Kavirondo
do.	do.	South Kavirondo
The Market Master	do.	Municipal Market Kisumu

Such appointments to have effect from the 1st day of July, 1948.

By Command of His Excellency the Governor.

Nairobi,

12th August, 1948.

A. HOPE JONES,

Secretary for Commerce and Industry.

GOVERNMENT NOTICE No. 789

(Vet. 4/5/)

MEAT MARKETING BOARD
APPOINTMENTS

IN EXERCISE of the powers conferred upon the Member for Agriculture, Animal Husbandry and Natural Resources of the Colony and Protectorate of Kenya by paragraph 3 of the Sale and Purchase of Slaughter Stock Order, 1947, and all other powers thereunto enabling me, I, being the officer for the time being executing the duties of such Member for the purposes of such paragraph do hereby appoint the following persons as members of the Meat Marketing Board:—

Major-General J. K. Edwards, *Chairman*,
Mr. D. E. Faulkner (representing the Director of Veterinary Services),
Mr. D. O'Hagan (representing the Chief Native Commissioner),
Mr. W. Padley (representing the Financial Secretary),
The Officer in Charge, Masai Extra-Provincial District,
The Chairman of the Stock Owners' Association of Kenya,
Mr. H. W. Pardoe,
Mr. G. de P. Colville,
Major F. de V. Joyce,
Mr. R. Letcher,
The Hon. John Chemalan, M.L.C.

Government Notice No. 15 of 1947 is hereby cancelled.

Nairobi,
14th August, 1948.

J. D. RANKINE,
Chief Secretary.

GOVERNMENT NOTICE No. 790

THE CRIMINAL PROCEDURE CODE
ORDER

IN EXERCISE of the powers conferred upon me by section 83 of the Criminal Procedure Code, I hereby order that all the powers vested in me by Part VIII of the said Code may, for the time being, be exercised by Thomas Paterson McBrierley, Esq., Acting Crown Counsel.

Given under my hand at Nairobi this 14th day of August, 1948.

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

GENERAL NOTICE No. 1462

THE WATER ORDINANCE

Unnamed Springs, Tributaries of Mteitei River, Ravine District

APPLICATION by F. C. Allsopp of Equator for a water right from unnamed springs on L.R. 6084/9 for net quantities of 900 and 10,000 gallons per day for the purpose of domestic use and minor irrigation respectively.

Plans may be seen at the Public Works Department Head Office, Nairobi, and at the offices 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 30 days from the date of publication of this notice and a copy served on the undersigned.

F. C. ALLSOPP, *Applicant,*
P.O. Equator.

GENERAL NOTICE No. 1463

THE WATER ORDINANCE
Sainte River, Taveta District

APPLICATION by Ziواني Sisal Estate, Ltd., of Taveta for a water right from the Sainte River on L.R. No. 7287 for 6,500 and 9,154,500 gallons per day for the purpose of domestic use and general irrigation respectively.

Plans may be seen at the Public Works Department Head Office, Nairobi, or at the Divisional Engineer's Office, Public Works Department, Mombasa.

Objections stating specific grounds therefor should be filed in duplicate with the Water Board, P.O. Box 662, Nairobi, within 30 days from the date of publication of this notice and a copy served on the undersigned.

STIRLING & SCOTT,
Lawfully authorized agents,
P.O. Box 245, Nairobi.

GENERAL NOTICE No. 1464

PLATEAU LIQUOR LICENSING COURT

NOTICE is hereby given that the next meeting of the Plateau Liquor Licensing Court will be held at the office of the District Commissioner, Eldoret, on 8th November, 1948, at 10 a.m.

All applications for new licences, confirmation of transfers and renewals must reach the District Commissioner's Office, Eldoret, on or before 25th September, 1948, together with Sh. 10 stamp fee on each application.

Eldoret,
7th August, 1948.

W. H. HALE, *Chairman,*
Plateau Liquor Licensing Court.

GENERAL NOTICE No. 1465

NAKURU LIQUOR LICENSING COURT

NOTICE is hereby given that the next ordinary meeting of the Nakuru Liquor Licensing Court will be held at the office of the District Commissioner, Nakuru, on Monday, 8th November, 1948, at 10 a.m.

All applications for new licences and confirmation of transfers or provisional licences must reach the District Commissioner's Office, Nakuru, on or before 25th September, 1948, together with Sh. 10 stamp fee on each application.

Nakuru,
9th August, 1948.

R. D. F. RYLAND, *Chairman,*
Nakuru Liquor Licensing Court.

GENERAL NOTICE No. 1466

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between Gladys Marina Hughes and Dora Meerloo carrying on business as ladies' outfitters and dressmakers at Nairobi under the style or firm of "Dormel" has been dissolved by mutual consent with effect from the 29th day of February, 1948, by the retirement of the said Gladys Marina Hughes from the said partnership.

All debts due to and owing by the said business shall be received and paid by the continuing partner, the said Dora Meerloo, who will henceforth carry on the said business under the style or firm of "Dormel" at the same place.

D. MEERLOO,
Continuing partner.

G. M. HUGHES,
Retiring partner.

Nairobi, 9th August, 1948.

GENERAL NOTICE No. 1467

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between Shah Mepa Vershi, Shah Hirji Vershi and Shah Lalji Dharamshi carrying on business of rations, groceries and provisions, etc., on Plots Nos. 1530 and 1627, Fort Hall Road, Nairobi, under the firm name or style of "Shah Mepa Vershi and Co." has been dissolved by mutual consent as from the 15th day of July, 1948, in the following manner.

The said Shah Mepa Vershi has taken over the shop situate on Plot No. 1627, Fort Hall Road, Nairobi, where he will carry on the business under his own name.

The said Shah Hirji Vershi and Shah Lalji Dharamshi have taken over the shop situate on Plot No. 1530, Fort Hall Road, Nairobi, where they will carry on the business under the said firm name of "Shah Mepa Vershi & Co."

All debts due to and owing by the said firm of "Shah Mepa Vershi & Co." will be received and paid by the said Shah Hirji Vershi and Shah Lalji Dharamshi, who have taken over the said firm.

Nairobi,
12th August, 1948.

M. L. ANAND,
Advocate for the parties,
P.O. Box 853, Nairobi.

GENERAL NOTICE No. 1468

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between (1) Bhanji Valji Patel, (2) Bhuralal Bawabhai Patel, (3) Gokal Shamji Patel and (4) Dahyabhai Baberabhai Patel carrying on business of general merchants and transporters under the style or firm of "Bhanji & Company" has been dissolved by mutual consent with effect on and from the 31st day of July, 1948, by the retirement therefrom of the said Bhuralal Bawabhai Patel.

The continuing partners will continue to carry on the said business under the same style or firm name.

All debts and liabilities of the said late partnership shall be received and discharged by the continuing partners.

Kisii,
1st August, 1948.

BHANJI VALJI PATEL,
BHURALAL BAWABHAI PATEL,
GOKAL SHAMJI PATEL,
DAHYABHAI BABERBHAI PATEL.

GENERAL NOTICE No. 1469

NAIROBI LIQUOR LICENSING COURT

DULY authorized by the Provincial Commissioner, Central Province, Nyeri, a special meeting of the Nairobi Liquor Licensing Court will be held in the office of the District Commissioner, Nairobi, at 11 a.m. on 15th September, 1948, to consider the following application for a general retail liquor licence:—

Mr. Ramji Haribhai Devani, Plot No. 2489/52, Desai Road, Nairobi.

Nairobi,
12th August, 1948.

J. DOUGLAS McKEAN, *Chairman,*
Nairobi Liquor Licensing Court.

GENERAL NOTICE No. 1470

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between Partap Singh Sawan Singh and Hukam Singh Harnam Singh carrying on business of box-body makers under the name or style of Partap Singh & Co. on Diwan Road, Nairobi, in the Colony of Kenya, has been dissolved by mutual consent with effect from the 6th day of August, 1948, by retirement therefrom of the said Hukam Singh Harnam Singh.

The continuing partner, Partap Singh Sawan Singh will carry on the said business at the same place and under the same name or style of Partap Singh & Co. All debts due to and owing by the said partnership business will be received and paid by the continuing partner, Partap Singh Sawan Singh.

PARTAP SINGH,
Continuing partner,
HUKAM SINGH,
Retiring partner.

Nairobi, 9th August, 1948.

GENERAL NOTICE No. 1471

PRINCE OF WALES SCHOOL SCHOLARSHIPS AND
KENYA HIGH SCHOOL SCHOLARSHIPS

A LIMITED number of scholarships is open in 1949 to students of the Prince of Wales School and Kenya High School who wish to proceed to approved universities, colleges or training institutions outside the Colony, or to a Kenya institution approved by the Scholarship Committee.

Assistance will be limited to the children of parents who will, at the closing date, have resided in Kenya for at least two years. Candidates for scholarships must have attended the Prince of Wales School or Kenya High School for a continuous period of not less than two years and must not be less than sixteen years of age on the closing date for entries.

Applications for the above scholarships should reach the Headmaster of the Prince of Wales School, Box 560, Nairobi, and the Principal of the Kenya High School, Box 805, Nairobi, not later than 10th November, 1948. It should be noted that applications received after the closing date can in no cases be considered. Forms of application, together with particulars regarding the conditions governing the award of scholarships can be obtained from the principals of the schools.

GENERAL NOTICE No. 1472

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

NOTICE is hereby given that the business of fruit, vegetable and general merchant heretofore carried on by Mr. Ramniklal Kalidas Shukla on Plot No. 209/1771, situate on Ngara Road, Nairobi, under the name and style of "Excelsior Stores" has been as from the 10th day of August, 1948, transferred to Chimanlal Rambhai Patel of Nairobi, who will, from the said date, carry on the said business under the same name and style and at the same place.

Name and address of the transferor.—Ramniklal Kalidas Shukla, P.O. Box No. 1358, Nairobi.

Name and address of the transferee.—Chimanlal Rambhai Patel, P.O. Box No. 1465, Nairobi.

All debts and liabilities due to and owing by the said transferor up to and including the 10th day of August, 1948, shall be received and paid by the transferor.

The transferee does not assume, nor does he intend to assume, any liabilities whatsoever incurred in the said business by the transferor.

R. K. SHUKLA,
Transferor,
C. R. PATEL,
Transferee.

Nairobi, 10th August, 1948.

GENERAL NOTICE No. 1473

THE REGISTRATION OF DOCUMENTS ORDINANCE

NOTICE is hereby given of the registration, under the above Ordinance, of the following agreement to lease. In all cases the lessor is the Commissioner for European Settlement for and on behalf of the Government of the Colony and Protectorate of Kenya, the lessee in each case being shown in the first column to the Schedule hereto, an approximate description of the land affected in each case and a reference to the title thereof being shown in the second column, the term of years being shown in the third column and the registry in which each agreement has been registered and the date of registration being shown in the fourth column to the said Schedule.

G. R. BROWN,
Commissioner for European Settlement.
Nairobi,
12th August, 1948.

SCHEDULE

Lessee	Description of Land and reference to title	Term	Registry and date of registration
Petrus Wilhelmus Van Rensburg	1,700 acres north of Eldoret Municipality	48 years from 1-1-48	Nairobi Volume B(ES)1 Folio 78/1 on 23-7-48.

GENERAL NOTICE No. 1474

VACANCIES IN GOVERNMENT DEPARTMENT

Assistant Agricultural Officers

APPLICATIONS are invited for appointment to the posts of Assistant Agricultural Officers in the Agricultural Department; they should be sent to the Hon. Director of Agriculture, P.O. Box 338, Nairobi, so as to reach him not later than 31st August, 1948. There exist ten vacancies on permanent Kenya European Civil Service terms, and seven vacancies on three-year agreements. The scale of salary attached to the posts is £360 by £20 to £480 by £20 to £540 by £20 to £600 per annum. Conditions of service on permanent Kenya European Civil Service terms include—

- (a) payment of cost of living allowance varying according to salary, at rates in force from time to time; the following are the current rates—
single officers, Sh. 125 to Sh. 138 per month;
married officers without children, Sh. 200 to Sh. 250 per month;
married officers with children, Sh. 243 to Sh. 375 per month;
- (b) participation in a contributory pensions scheme;
- (c) eighteen days' local leave per annum and vacation leave at the rate of 3½ days for each month of residential service;
- (d) free passages to the United Kingdom after four-year tour for officer and wife;
- (e) free medical treatment by the Government medical service;
- (f) participation in a widows' and orphans' pension scheme;
- (g) when not in occupation of Government quarters, housing allowance is payable to a limit of 10 per cent of salary when it does not exceed £380 per annum; 7½ per cent of salary when it does not exceed £520 per annum, and 5 per cent when it exceeds £520; in cases of hardship, due to payment of high rental, supplementary assistance may be given.

Terms and conditions of service on three-year agreements are the same as for (a), (c), (e), (f) and (g), and in addition include—

- (i) free passages after completion of the three-year agreement for officer and wife to the United Kingdom or to any other place; provided (a) the cost to the Government is not greater than that of a passage by normal sea route to the United Kingdom; (b) the passage must be taken within two months of the date on which the agreement is determined;
- (ii) a gratuity of 15 per cent of the total substantive salary drawn during the three years (excluding any cost of living allowance), paid on determination of the three-year agreement.

The salary scale and terms of service attached to these posts are at present under consideration as a result of the Report of the Salaries Commission. The persons appointed will be required to serve on such terms and conditions of service as may be fixed.

Candidates should be prepared for a strenuous open-air life possibly at remote stations; they should be between the ages of 22 and 32 years and should have a degree or diploma in agriculture or horticulture.

Allowances will be made for additional qualifications and/or experience in determining initial salary in the scale. The duties of the post include mainly agricultural extension work in African or European areas.

GENERAL NOTICE No. 1475

VACANCIES IN TANGANYIKA TERRITORY

Live Stock Marketing Officers, Veterinary Department

VACANCIES exist for Live Stock Marketing Officers in the Veterinary Department, Tanganyika Territory. The posts, which are non-pensionable, carry a salary scale of £372 by £18 to £480 by £20 to £600 with an efficiency bar at £480 on normal overseas terms of service with provident fund conditions and engagement would be on agreement for a tour of 24 to 36 months in the first instance. A temporary bonus of 18 per cent of salary, with a maximum of £120 and a minimum of £75 a year, is payable in addition to salary.

Candidates should have had previous experience in the cattle trade. The duties of the posts, which entail a considerable amount of travelling, include control of the marketing of live stock, particularly by weight and grades, and the organization of cattle markets.

Applications should be submitted to the Secretary, the European Civil Service Advisory Board, the Treasury, Dar es Salaam, to reach him not later than 27th August, 1948, and should contain particulars of age, qualifications and experience. Copies of testimonials should be forwarded with applications. Serving officers should apply through their heads of departments and should submit an up-to-date copy of a Personal Record Form (P.2).

GENERAL NOTICE NO. 1409

PUBLIC AUCTION OF TOWNSHIP PLOTS, MOLO

NOTICE is hereby given that the plots in Molo as described in the Schedule hereto will be sold by public auction at the office of the District Commissioner, Molo, on 31st August, 1948, at 10 a.m.

A plan of the plots contained in the Schedule may be seen at the offices of the Commissioner of Lands, Nairobi, or at the office of the District Commissioner, Nakuru, as the case may be, or may be obtained on application to the Commissioner of Lands, P.O. Box 89, Nairobi, on payment of Sh. 5 post free.

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

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

(a) General Conditions

1. Each plot will be auctioned separately.
2. The amount of the advance of each bid will be regulated by the auctioneer and no bidding shall be retracted.
3. The highest bidder will be declared the purchaser of the plot, but if any dispute arises as to any bid the plot will be reoffered at the last undisputed bid.
4. Each purchaser shall pay to the auctioneer immediately on the fall of the hammer, 25 per cent of the amount of his bid. In default of such payment, the plot may be immediately reoffered for sale and any subsequent bid by the person who has made default may be ignored or refused.
5. Each purchaser shall, on paying the deposit, inform the auctioneer the name or names of the person or persons on whose behalf the plot is purchased, and any subsequent grant that may be made will be issued in accordance with this information.
6. The amount bid in respect of the plot shall be considered as the stand premium payable thereon.
7. The roads and drains contribution in respect of the plot, and the rent due to 31st December, 1948, shall be paid to the Commissioner of Lands within seven days of the date of the auction.
8. Deed of grants in respect of each plot cannot be issued until survey has been effected. Fees for survey will be payable on demand together with the balance of the amount bid, and those fees payable in respect of the preparation and registration of the grant (Sh. 120) and the stamp duty payable in respect of the grant (approximately 2 per cent of the amount bid and rent). Successful bidders are reminded that unavoidable delay may ensue regarding survey.

(b) Conditions of Grant

1. The purchaser shall erect, within two years of the commencement of his grant, a building of approved design, constructed of stone, burnt brick or concrete on proper foundations.
2. No building shall be erected on any plot unless plans (including block plans showing the position of the buildings), drawings, elevations and specifications thereof shall have been previously approved by the authority, and by the Commissioner of Lands or such other person as he may appoint. Such plans, etc., shall be submitted in triplicate to the District Commissioner, Nakuru, within three months of the date of sale.
3. Grants will be made under the Crown Lands Ordinance (Chapter 140 of the Revised Edition of the Laws of Kenya) and titles will be issued under the Registration of Titles Ordinance. The term of the grants will be 99 years from the 1st day of September, 1948, at the annual rents specified in the Schedule.
4. The grantee shall not, at any time, sub-divide the plot, or assign, sub-let or otherwise dispose of any portion of the plot.
5. Any building erected shall conform to a building line decided upon by the authority.
6. The grantee shall not transfer the plot nor enter into any mortgage charge or agreement of sale in respect thereof within five years of the date of commencement of the grant.
7. All out-buildings, offices, etc., shall be properly sited and screened from view to the satisfaction of the authority or such other person as may be appointed and shall be kept so screened during the term of the grant.
8. The Government or such person or authority as may be appointed for the purpose shall have the right to enter upon any plot and lay and have access to water mains, service pipes, telegraph or telephone wires, and electric mains of all descriptions, whether overhead or underground, and the grantee shall not erect any building in such a way as to cover or interfere with any existing routes, main or service pipes or the telegraph, or telephone wires and electric mains aforementioned.
9. Grantees will be required to pay any municipal rates upon the whole of the rateable interest and Government's contribution in lieu of rates assessed on the plots. A condition will, therefore, be embodied in each grant providing for the necessary adjustment between the grantee and the Government.
10. Under Government Notice No. 20 of 1945 the permission of the Supply Board is required for the erection of a building exceeding £50 in value, but no guarantee can be given that a

building permit will be issued in respect of the building required to be erected under the conditions of the grant.

(c) Special Conditions in Respect of Residential Plot in Schedule IX II

1. Fittings and floor may be of an approved temporary material and construction provided that these be replaced by approved permanent materials within six months of notice being given by the Commissioner of Lands.
2. At no time during the term of the grant shall more than one dwelling-house with necessary offices and out-buildings be erected on the plot without the consent of the Governor.
3. The plot shall be used for private residential purposes only.
4. The grantee shall not at any time during the term of the grant erect any building or buildings to cover more than one-third of the area of the plot.

Nairobi,
26th July, 1948.

G. J. ROBBINS,
Commissioner for Lands, Mines
and Surveys.

SCHEDULE
CLASS B—RESIDENTIAL PLOTS, MOLO

Plot No.	Section	Area Approx	Up-set Price	Annual rent	Proportionate Rent from 1-9-48 to 21-12-48	Roads and Drains Contribution	Survey Fees
		<i>Acres</i>	<i>Sh.</i>	<i>Sh.</i>	<i>Sh.</i>		
56	II	.2462	800	160	53	Sh. 720 Per plot	To be notified later.
57		.1148	400	80	26		
58		.1205	430	86	28		
59		.1148	400	80	26		
60		.1100	390	78	26		
61		.1226	435	87	29		
62		.1478	510	102	34		
63		.1627	570	114	38		
64		.1515	540	108	36		
65		.1265	430	86	28		
66		.0943	360	72	24		
67		.1960	660	132	44		
68		.1148	400	80	26		
69		.1148	400	80	26		
70		.1148	400	80	26		
71		.1148	400	80	26		
72		.1148	400	80	26		
73		.1649	550	110	36		
74		.1219	430	86	28		
75		.1187	395	79	26		
76		.1137	390	78	26		
77		.1700	600	120	40		
78		.2593	850	170	56		
79		.2593	850	170	56		
80		.2593	850	170	56		
81		.1684	550	110	36		
82		.0989	370	74	24		
83		.0984	370	74	24		
84		.1148	400	80	26		
85		.1148	400	80	26		
86		.1148	400	80	26		
87		.1148	400	80	26		
88		.1148	400	80	26		

GENERAL NOTICE NO. 1434

THE CROWN LANDS ORDINANCE

ALIENATION OF LAND

APPLICATIONS have been received and others are invited for the direct alienation of the land noted in the Schedule hereunder and this intimation is published for public information.

Any remarks on the applications or any counter claims for consideration by persons interested, including persons who have previously submitted applications, must be submitted to the undersigned before noon on 3rd September, 1948.

Plans of the areas may be seen at the Public Map Office of the Department of Lands, Mines and Surveys, Nairobi, or may be obtained on payment of Sh. 3, post free.

Nairobi,
5th August, 1948.

G. J. ROBBINS,
Commissioner for Lands, Mines
and Surveys.

SCHEDULE

L. R. No.	Locality	Area Acres (Approx)	Rate Per Acre	Present Rent Per Acre per Annum in Accordance with the Crown Lands Ordinance
N. E. Portion of 2049/R	N. W. Kitale	300	*	20 cents until 31-12-50 then revisable
L. R. 7353 ..	Sotik ..	500	*	ditto

*To be assessed later.

GENERAL NOTICE No. 1427

THE WATER ORDINANCE

Mkurumuji River, Mombasa District

APPLICATION by the Hon. Director of Public Works, Nairobi, for a water right from the Mkurumuji River in the Coast Native Land Unit for a diversion of 2,153,800 gallons per day for the purpose of augmenting Mombasa Township water supply.

Plans may be seen at the Public Works Department Head Office, Nairobi, and at the offices of the Public Works Department, Mombasa.

Objections stating specific grounds therefor should be filed in duplicate with the Water Board, P.O. Box 662, Nairobi, within 30 days from the date of publication of this notice and a copy served on the undersigned.

A. E. TETLEY,
for Director of Public Works,
Lawfully authorized agent,
P.O. Box 662, Nairobi.

GENERAL NOTICE No. 1327

CROWN LANDS ORDINANCE

ALIENATION OF LAND

APPLICATIONS are invited for the direct alienation in blocks of 100 acres each of the Crown land south of the Kiboko River (near Makindu), bordered on the west by L.R. 1277 and on the east by the Kenya and Uganda Railway and reported upon as being possibly suitable for market gardening.

Applications not restricted to Europeans and accompanied by full information of the development proposals and financial resources must be submitted to the undersigned before noon on 25th August, 1948.

A plan of the area may be seen at the Public Map Office of the Department of Lands, Mines and Surveys, Nairobi, or may be obtained by post on payment of Sh. 3.

No sub-division of the land has yet been effected and applicants should indicate the area for which they apply.

Leases will be for a term of 999 years and rental will be payable in accordance with the provisions of the Crown Lands Ordinance.

G. J. ROBBINS,
Commissioner of Lands, Mines
and Surveys.

20th July, 1948.

GENERAL NOTICE No. 1476

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

CAUSE No. 11 OF 1948

Notice of application for letters of administration intestate of the estate of Mitha Shivji, late of Asembo Bay, Central Kavirondo District, Kenya Colony, deceased.

TAKE NOTICE that application having been made in this Court by Ibrahim Mitha of Asembo Bay aforesaid, the eldest son of the deceased, for letters of administration intestate of the estate of Mitha Shivji, late of Asembo Bay, who died at Kutiana, India, in the month of June, 1944, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 1st day of September, 1948.

C. FARQUHAR ATKINS,
for District Delegate,
Nyanza Province, Kisumu.

Kisumu,
11th August, 1948.

GENERAL NOTICE No. 1477

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between (1) Dhanjibhai Lalaji, (2) Gordhanbhai Mathurbhai and Maganbhai Ranchhodbhai, (3) Motibhai Jivabhai and (4) Ishverbhai Chhotabhai Patel carrying on business of saw millers under the style or firm of Nandi Saw Mill at the Nandi Forest, Turbo, has been dissolved by mutual consent as from 31st July, 1948, and the business is closed.

All debts due to and owing by the said firm will be received and paid by the said firm of Nandi Saw Mills, P.O. Box 134, Nakuru, within a month from the date of the issue of the notice and no claims whatsoever will be entertained after that date.

GORDHANBHAIR MATHURBHAIR PATEL,
MAGANBHAIR RANCHHODBHAIR PATEL,
DHANJIBHAIR LALAJI PATEL,
MOTIBHAIR JIVABHAIR PATEL,
ISHVERBHAIR CHHOTABHAIR PATEL,
Partners.

GENERAL NOTICE No. 1478

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

NOTICE OF EXTINGUISHMENT OF TEMPORARY ADVANCE

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

Name.—Leslie Hambleton Jones.

Amount.—£250.

General Notice No.—1669.

Date.—22nd October, 1946.

C. C. SERGEANT,
Acting Secretary.

GENERAL NOTICE No. 1479

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No. 148 OF 1947

In the matter of the estate of Alice Maud Bastard, deceased

PURSUANT to an Order of His Majesty's Supreme Court of Kenya at Nairobi the grant of probate of the will of the above-named deceased was issued to Segar Southey Bastard and William Kenneth Bastard.

Take notice that all persons having any claims against the said estate are required to lodge and prove such claims with the undersigned on or before 10th October, 1948, after which date the claims which have been so proved will be paid and the estate distributed according to the law.

W. A. SHAW,
Advocate for the Executors,
P.O. Box 112, Eldoret.

GENERAL NOTICE No. 1480

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No. 33 OF 1948

In the matter of Husseinalli Velshi Pradhan (or Pirani), deceased

TAKE NOTICE that on or after the 1st day of September, 1948, I intend to apply to H.M. Supreme Court of Kenya at Nairobi for letters of administration intestate to the estate of the above-named Husseinalli Velshi Pradhan (or Pirani), late of Mombasa in the Protectorate of Kenya, who died at Mombasa aforesaid on the 19th day of February, 1948.

Nairobi,
13th August, 1948.

D. J. COWARD,
Acting Public Trustee.

GENERAL NOTICE No. 1481

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No. 33 OF 1948

In the matter of Husseinalli Velshi Pradhan (or Pirani), deceased, late of Mombasa in the Protectorate of Kenya

TAKE NOTICE that all persons having any claims against the estate of the above-named Husseinalli Velshi Pradhan (or Pirani), who died at Mombasa aforesaid on the 19th day of February, 1948, are required to prove such claims before me the undersigned on or before the 18th day of October, 1948, after which date the claims so proved will be paid and the estate distributed according to law.

Nairobi,
13th August, 1948.

D. J. COWARD,
Acting Public Trustee.

GENERAL NOTICE No. 1482

THE BANKRUPTCY ORDINANCE

NOTICE OF DIVIDEND

Summary Case

Debtor's name.—Lino Malaquias Antao.

Address.—Nairobi.

Description.—Clerk.

Court.—H.M. Supreme Court, Nairobi.

No. of matter.—1 of 1946.

Amount per £.—Sh. 1/64.

First or final or otherwise.—First.

When payable.—17th August, 1948.

Where payable.—Official Receiver's Office, Law Courts Building, P.O. Box 231, Nairobi.

Nairobi,
12th August, 1948.

D. J. COWARD,
Acting Official Receiver.

GENERAL NOTICE No. 1483

THE BANKRUPTCY ORDINANCE
NOTICE OF INTENDED DIVIDEND
Summary Case

Debtor's name.—Johannes Hendrik Le Roux.
Address.—Kisii.
Description.—Miner.
Court.—The Resident Magistrate's Court, Kisumu.
No. of matter.—2 of 1946 (Kisumu).
Last day for receiving proofs.—1st September, 1948.
Name of trustee.—Official Receiver.
Address.—Law Courts Building, P.O. Box 231, Nairobi.

Nairobi,
 11th August, 1948.

D. J. COWARD,
Acting Official Receiver.

GENERAL NOTICE No 1484

THE BANKRUPTCY ORDINANCE
RECEIVING ORDER

Debtor's name.—Alexander McMillan.
Address.—c/o K.F.A. (Co-op), Ltd., Nakuru.
Description.—Clerk.
Date of filing petition.—7th August, 1948.
Court.—H.M. Supreme Court, Nairobi.
No. of matter.—4 of 1948.
Date of order.—10th August, 1948.
Whether debtor's or creditors' petition.—Debtor's.

Nairobi,
 11th August, 1948.

D. J. COWARD,
Acting Official Receiver.

GENERAL NOTICE No. 1485

RE WILLIAM ESLER McLEAN, DECEASED

TAKE NOTICE that all persons having any claims against the estate of the above-named William Esler McLean, deceased, who died on the 18th day of July, 1948, at Kampi-ya-Moto in the Colony of Kenya are requested to send particulars of such claims to the undersigned on or before the 28th day of August, 1948.

CRESSWELL & LEAN,
Advocates for the Executors,
P.O. Box 51, Nakuru.

10th August, 1948.

GENERAL NOTICE No. 1486

THE REGIMENTAL DEBTS ACT, 1893

14219813 *Sgt. Turner, W. J., The Middlesex Regiment attached Nairobi Transit Camp; Mr. K. W. Poole, civilian employee at D.C.R.E., Nanyuki.*

TAKE NOTICE that all creditors and debtors of the estates of the above-named deceased are hereby required to file their claims with and pay their debts to the Standing Committee of Adjustment, Headquarters, 2nd Echelon and Military Records, P.O. Box 4024, Nairobi, within one calendar month of the date of publication of this notice, after the expiry of which period such claims as are deemed to have been substantiated will be paid to the extent of the assets available and the residues disposed of according to the provisions of the Regimental Debts Act, 1893.

E. W. S. CURTIS (Major), *President,*
Standing Committee of Adjustment.

GENERAL NOTICE No. 25

HIS MAJESTY'S SUPREME COURT OF KENYA

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

SUPREME COURT CRIMINAL SESSIONS AT NAIROBI, 16-8-48

Cr. C. No. 133/48 Rex vs. Mrs. Lilian Hopkins.
 Cr. C. No. 139/48 Rex vs. Koikai Ole Nomboyo.
 Cr. C. No. 144/48 Rex vs. Kostano M'Torochio and 1 other.
 Cr. C. No. 146/48 Rex vs. Karioki Rushashio and 1 other.

SUPREME COURT CRIMINAL SESSIONS AT MOMBASA, 6-10-48

Cr. C. No. 150/48 Rex vs. Kadzo d/o Toya.

D. F. SHAYLOR, *Registrar,*
Supreme Court of Kenya.

GENERAL NOTICE No. 1487

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY
PROBATE AND ADMINISTRATION
CAUSE No. 35 OF 1948

Notice of application for letters of administration intestate of the estate of Taibali Abdulhusen Noorbhai, late of Takaungu, Kenya Protectorate, deceased

TAKE NOTICE that application having been made in this Court by Ebrahim Abdulhusen Noorbhai of Takaungu, Kenya Protectorate, for letters of administration intestate of the estate of Taibali Abdulhusen Noorbhai, late of Takaungu aforesaid, who died at Kilifi on the 28th day of December, 1947, 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 31st day of August, 1948.

Mombasa,
 9th August, 1948.

JOYCE RUGG GUNN,
District Registrar,
H.M. Supreme Court of Kenya.

GENERAL NOTICE No. 1488

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY
PROBATE AND ADMINISTRATION
CAUSE No. 36 OF 1948

Notice of application for probate of the will of Cyril Frederick Wells, late of Mombasa, Kenya Protectorate, deceased

TAKE NOTICE that application having been made in this Court by Ethel Wells of Mombasa, Kenya Protectorate, for probate of the will of Cyril Frederick Wells, late of Mombasa aforesaid, who died at Mombasa on the 24th day of April, 1948, 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 31st day of August, 1948.

Mombasa,
 10th August, 1948.

JOYCE RUGG GUNN,
District Registrar,
H.M. Supreme Court of Kenya.

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

GENERAL NOTICE No. 1489

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY
PROBATE AND ADMINISTRATION
CAUSE No. 37 OF 1948

Notice of application for letters of administration intestate of the estate of Gulamhusein Mohamedali Mavji, late of Mombasa, Kenya Protectorate, deceased.

TAKE NOTICE that application having been made in this Court by Mohamedali Mavji Jamal of Mombasa, Kenya Protectorate, for letters of administration intestate of the estate of Gulamhusein Mohamedali Mavji, late of Mombasa aforesaid, who died at Mombasa on the 3rd day of July, 1947, 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 31st day of August, 1948.

Mombasa,
 11th August, 1948.

JOYCE RUGG GUNN,
District Registrar,
H.M. Supreme Court of Kenya.

GENERAL NOTICE No. 1490

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI
PROBATE AND ADMINISTRATION
CAUSE No. 141 OF 1948

Notice of application for administration of estate of Kaushalya Devi d/o Ram Rakha and w/o Siri Ram Kochhar, late of Nairobi in Kenya Colony, deceased.

TAKE NOTICE that application having been made in this Court by Siri Ram s/o Prithmi Chand, clerk, of Nairobi in Kenya Colony, the husband of the deceased, for the administration intestate of the estate of Kaushalya Devi d/o Ram Rakha and w/o Siri Ram Kochhar, late of Nairobi aforesaid, who died at Nairobi on the 18th day of May, 1948, 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 31st day of August, 1948.

Nairobi,
 12th August, 1948.

D. F. SHAYLOR, *Registrar,*
Supreme Court of Kenya.

GENERAL NOTICE No. 1491

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No. 142 OF 1948

Notice of application for probate of the will of Cecil Gordon Harries of Ruiru in Kenya Colony, deceased

TAKE NOTICE that application having been made in this Court by Winifred Marion Harries, widow, of Ruiru aforesaid, for probate of the will of Cecil Gordon Harries, late of Ruiru aforesaid, who died at Nairobi in Kenya Colony on the 10th day of June, 1948, 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 31st day of August, 1948.

Nairobi,
12th August, 1948.

D. F. SHAYLOR, Registrar,
Supreme Court of Kenya.

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

GENERAL NOTICE No. 1492

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No. 143 OF 1948

In the estate of Sydney Reginald Worley, deceased, and

In the matter of an application for resealing in the Colony of Kenya the probate of the will of the said deceased granted on the 22nd day of January, 1948, by the Principal Probate Registry of His Majesty's High Court of Justice in England to Kenneth James Macdonald Worley, James Broughton Worley and Leslie Vincent Pearkes, the executors in the said will named.

TAKE NOTICE that an application has been made to this Court by Messrs. Shapley, Barret, Archer & Co., advocates, Nairobi, for and on behalf of (1) Kenneth James Macdonald Worley of 30 Gildredge Road, Eastbourne, Sussex, (2) James Broughton Worley of Georgian House, Coulsdon Lane, Chipstead, Surrey, chartered accountants, sons of the deceased, and (3) Leslie Vincent Pearkes of 5 Dowgate Hill in the City of London, solicitor, the executors named in the will of the said deceased, for resealing the probate granted on the 22nd day of January, 1948, to the said executors by the Principal Probate Registry of His Majesty's High Court of Justice in England, of the will of Sydney Reginald Worley of Oakwood, Old Avenue, Chipstead, in the County of Surrey, and of Pinners Hall, Austin Friars, in the City of London, chartered accountant, the above-named deceased, who died at the Avenue Nursing Home, Cheam, Surrey, in England on the 6th day of December, 1947, and that this Court will order accordingly unless cause be shown to the contrary and appearance in this respect entered on or before the 31st day of August, 1948.

Nairobi,
12th August, 1948.

D. F. SHAYLOR, Registrar,
Supreme Court of Kenya.

GENERAL NOTICE No. 1493

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No. 144 OF 1948

Notice of application for administration of estate of Philip Sebastian Desouza, late of Nairobi, Kenya Colony, deceased

TAKE NOTICE that application having been made in this Court by Francis Xavier Desouza, clerk, Transport Licensing Board, Nairobi, Kenya Colony, for the administration intestate of the estate of Philip Sebastian Desouza, late of Nairobi aforesaid, who died at Goa, India, on the 4th day of February, 1937, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 31st day of August, 1948.

Nairobi,
12th August, 1948.

D. F. SHAYLOR, Registrar,
Supreme Court of Kenya.

GENERAL NOTICE No. 1494

THE CROWN LANDS ORDINANCE

ALIENATION OF LAND—RESIDENTIAL PLOTS, NAIROBI

APPROXIMATELY 73 plots varying from $\frac{1}{2}$ acre to $1\frac{1}{2}$ acres of Crown land for residential occupation as shown on the layout plan for part of L.R. No. 4767/R known as "Kileleshwa" are available for alienation and applications are invited for the direct grant of individual plots.

A plan of the plots may be seen at the public Map Office of the Department of Lands, Nairobi, or may be obtained by post on payment of Sh. 5 (post free).

Details of a similar scheme will shortly be published for the area now known as High Ridge Golf Course, Nairobi, by which approximately a hundred further plots will be made available.

Persons interested should apply to the Department of Lands, Mines and Surveys for a copy of form of application to be submitted to the Secretary, Kileleshwa Selection Committee, Lands, Mines and Surveys Department, P.O. Box 89, Nairobi. All forms of application must be dispatched to reach the office of this department not later than 4.30 p.m. on 30th September, 1948. Applications received after this date cannot be considered. Personal interviews by the Committee will not be granted.

A—General Conditions

(1) Each allottee shall pay to the Commissioner of Lands on demand the assessed stand premium. In default of such payment the plot may be immediately re-allocated and any subsequent application by the person who has made default may be ignored or refused.

(2) The grant will be issued in the name of the allottee in accordance with the information supplied on the application form.

(3) The roads and drains contribution in respect of the plot and the rent due to 31st December, 1948, shall be paid to the Commissioner of Lands within seven days of the date of notification of allocation.

(4) Fees for survey will be payable on demand together with fees in respect of the preparation and registration of the grant (Sh. 120) and the stamp duty payable in respect of the grant (approximately two per cent of the amount of stand premium and rent). Deeds of grant in respect of each plot cannot be issued until survey has been effected.

B—Conditions of Grant

(1) The grantee shall erect within two years of the commencement of his grant a building of approved design on proper foundations, constructed of stone, burnt brick or concrete with roofing of tiles or shingles, or such other permanent materials as approved by the local authority.

(2) No building shall be erected on any plot unless plans (including block plans showing the position of the buildings), drawings, elevations and specifications thereof shall be previously approved by the authority and by the Commissioner of Lands or such other person as he may appoint. Such plans, etc., shall be submitted in triplicate to the Town Clerk, Nairobi, within three months of the date of notification of the grant.

(3) Grants will be made under the Crown Lands Ordinance (Chapter 140 of the Revised Edition of Laws of Kenya) and titles will be issued under the Registration of Titles Ordinance. The term of the grants will be 99 years from the 1st day of November, 1948, at the annual rents specified.

(4) The grantee shall not at any time subdivide the plot or assign, sublet or otherwise dispose of any portion of the plot.

(5) Any building erected shall conform to a building line decided upon by the authority.

(6) The grantee shall not sell or transfer the plot, nor enter into any mortgage charge or agreement of sale in respect thereof within ten years of the date of commencement of the grant except with the prior approval of the Commissioner of Lands.

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

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

(9) The grantee will be required to pay any municipal rates upon the whole of the rateable interest including Government's contribution in lieu of rates assessed on the plot. A condition will therefore be embodied in each grant providing for the necessary adjustment between the grantee and the Government.

(10) Under Government Notice No. 20 of 1945, the permission of the Supply Board is required for the erection of a building exceeding £50 in value, but no guarantee can be given that a building permit will be issued in respect of the building required to be erected under the conditions of the grant.

(11) At no time during the term of the grant shall more than one dwelling-house with necessary offices and out-buildings be erected on the plot without the consent of the Commissioner of Lands.

(12) The plot shall be used for private residential purposes only.

(13) The grantee shall not at any time during the term of the grant erect any building or buildings to cover more than one-third of the area of the plot.

GENERAL NOTICE No. 1495

NOTICE is hereby given that it is intended that the partnership heretofore subsisting between Walter Terry and Tom Harold Cope carrying on business as builders and engineers at Naivasha in the Colony of Kenya under the style or firm of "Terry and Cope" will be dissolved as from the 31st day of August, 1948. Liability for orders placed with or given by the said firm of Terry & Cope from the date hereof will not be accepted unless signed by both partners, namely the said Walter Terry and the said Tom Harold Cope.

CRESSWELL & LEAN,
*Advocates for the said
Tom Harold Cope.*

10th August, 1948.

GENERAL NOTICE No. 1496

THE EAST AFRICAN AIR TRANSPORT AUTHORITY

PURSUANT to the provisions of Regulations 21 and 22 of the Air Services (Licensing) Regulations, 1946, notice is hereby given that Sheikh & Din, Ltd., of P.O. Box 376, Kampala, Uganda, has applied to the East African Air Transport Authority for a licence to operate the following air services:—

- (a) Air charter and aerial work in the territories of Kenya, Uganda, Tanganyika and Zanzibar for a period of one year from the date of the grant of the licence.
- (b) Elementary and advanced dual flying instruction at the Entebbe airfield for a period of one year with effect from the date of the grant of the licence.

It is further notified that any representations or objections with regard to this application must be made to the East African Air Transport Authority at the office of the Director of Civil Aviation, East Africa, O.M.T. House, Sadler Street, P.O. Box 601, Nairobi, not later than 17th September, 1948. Every such representation or objection shall be made in writing, shall state the specific grounds on which it is based, and shall specify any conditions which it may be desired should be attached to the

licence if granted. A copy of every such representation or objection shall be sent by the person making the same to the applicant for the licence at the same time as it is sent to the authority.

Nairobi,
10th August, 1948.

STACEY W. D. COLLS,
*Director of Civil Aviation,
East Africa.*

GENERAL NOTICE No. 1497

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

NOTICE is hereby given that the business of dealers in motor car and cycle spares carried on by (1) Dayalji Dahyabhai Patel, (2) Bhanabhai Vasanji Patel and (3) Jhinabhai Hirabhai Patel under the firm name or style of "The Central Garage" on Makadara Road, Mombasa, in the Colony and Protectorate of Kenya, has been sold and transferred as from the 4th day of August, 1948, to (1) Zaverilal Gopalji Shah and (2) Durgashanker Kashiram Pandya of Mombasa aforesaid, who will carry on the said business at the same place under the said firm name or style.

The address of the transferors is P.O. Box No. 263, Mombasa.

The address of the transferees is P.O. Box No. 425, Mombasa.

The transferees are not assuming, nor are intended to assume, any liabilities incurred by the transferors in the said business of "The Central Garage" up to and including the 4th day of August, 1948.

All debts due to and owing by the said business up to and including the said 4th day of August, 1948, shall be received and paid by the transferors.

DAYALJI DAHYABHAI PATEL,
BHANABHAI VASANJI PATEL,
JHINABHAI HIRABHAI PATEL,
Transferors,

Mombasa, ZAUVERILAL GOPALJI SHAH,
DURGASHANKER KASHIRAM PANDYA,
14th August, 1948. *Transferees.*

GENERAL NOTICE No. 1043

HIS MAJESTY'S COURT OF APPEAL FOR EASTERN AFRICA

NOTICE OF SESSIONS

NOTICE is hereby given that the next ordinary Session of His Majesty's Court of Appeal for Eastern Africa will be held at Mombasa commencing on 13th July, 1948, at 10 a.m.

Nairobi,
3rd June, 1948.

D. F. SHAYLOR, Registrar,
H.M. Court of Appeal for Eastern Africa

CAUSE LIST

FOR HEARING ON 13TH JULY, 1948, AT MOMBASA

Appeal No.	Civil or Criminal	Appellant	Respondent	Original No. of case	Appeal from
21, 23 & 24/48	Criminal	1 Ndibaru Mutheri, 2 Ngai Thini 3 Nganga Kiboko	Rex	Cr. Appeal 593, 594, 595/47	Kenya, Nairobi.
77/48	"	Bakari bin Mfaume Mzaram ..	Rex	Cr. Case 31/47	Zanzibar.
80/48	"	Samusoni Kyemara	Rex	Cr. App. 113/47	Kampala.
86 to 96/48	"	Ndunda Mwarachubi & 10 others	Rex	Cr. Case 241/47	Nairobi.
112/48	"	Thomas Joseph Cook	Rex	Cr. Appeal 15/48	Dar es Salaam.
114 & 115/48	"	Benjamin Filipo & Mohamed Selemani	Rex	Cr. Case 54/48	Tabora.
117/48	"	Andereya Gavamukulya ..	Rex	" 64/48	Kampala.
121/48	"	Luseru Wandera	Rex	" 48/48	Kampala.
124/48	"	Yoana Kasumba	Rex	" 80/48	Masaka.
125/48	"	Federiko Bakunda	Rex	" 85/48	"
126/48	"	Augen Manyakutama	Rex	" 24/48	Songea.
132/48	"	Petro Obed	Rex	" 34/48	Moshi.
8/47	Civil	African Boot Co.	G. S. Morley	Civil Case 284/46	Nairobi.
20/47	"	Shah Lalji Gosar	Nanji Vithaldas and another as Trustees	" 49/46	"
4/48	"	Shantilal Lalji Shah	Gulzar Begum Lali Khan..	" 132/46	"
8/48	"	Associated Insulation Products (Africa) Ltd.	P. H. Cull	" 89/44	"
9/48	"	Fazal Jiwan & M. Visram ..	Mombasa Tailoring Mart..	" 58/47	Mombasa.
10/48	"	Nanyuki General Trading Stores	Mrs. Peterson	" 504/47	Nairobi.
11/48	"	R. A. Pelham Burn	Official Receiver, Kampala, for Uganda Fisheries Ltd. in liquidation.	Companies Cause No. 12 of 1946	Kampala.

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