



THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

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GOVERNMENT NOTICE No 853

APPOINTMENTS

ALAN CHARTERS HOLMES to be Health Inspector, Kenicho Administrative District and contained townships and trading centres, with effect from 26th July 1951

JOHN LAWRENCE HARVEY WEBSTER B A (OXON), resumed duty on return from leave, as Secretary, Development and Reconstruction Authority, with effect from 24th July, 1951

RICHARD GORDON TURNBULL resumed duty as Provincial Commissioner, Northern Province, with effect from 9th June, 1951

GEORGE HUNTLY HILTON BROWN to be District Officer Garissa District, Northern Province, with effect from 19th June, 1951

ERIC DAVID FOX to be District Officer, Turkana District, Northern Province, with effect from 27th June, 1951

GORDON ARMSTRONG SKIPPER to be District Officer Nakuru District Rift Valley Province with effect from 30th June, 1951

JOHN KINGSMILL ROBERT THORP to be District Commissioner, Machakos District, Central Province, with effect from 9th July, 1951

CHARLES HARRY CRESSWELL to be District Officer, Isiolo District, Northern Province, with effect from 14th July 1951

JOHN HENRY BUTTER MBE B A (OXON), to act as Clerk to the Legislative Council with effect from 28th July 1951

C H HARTWELL,
Acting Deputy Chief Secretary

GOVERNMENT NOTICE No 854

THE MINING ORDINANCE

(Cap 168)

NOTICE is hereby given in accordance with the provisions of regulation 32 (2) of the Mining Regulations, 1940, that the under mentioned claims have been abandoned —

Location No and District —1623/1-2 and 5 (No II Area)

Class —Precious metals, lode

Cause of abandonment —Voluntary

Date from which location or part thereof shall be deemed to be abandoned —16th July 1951

Name of registered holder —L O Ndede

Nairobi
25th July, 1951

F H COWLEY-LAMB,
for Acting Commissioner
(Mines and Geology)

GOVERNMENT NOTICE No 855

THE RESIDENT LABOURERS ORDINANCE

(Cap 113)

APPOINTMENT

IN EXERCISE of the powers conferred by section 32 of the Resident Labourers Ordinance I hereby appoint—

MAJOR F H DE V JOYCE M C J P

to be Attesting Officer in the district of Machakos with effect from the 1st day of May 1951, for the purpose of the aforesaid Ordinance

Nairobi,
20th July, 1951

F W CARPENTER
Labour Commissioner

GOVERNMENT NOTICE No 856

(S A J & L 12/6/1/IV)

THE COURTS ORDINANCE

(Cap 3)

APPOINTMENT

IN EXERCISE of the powers conferred by section 5 of the Courts Ordinance the Governor has been pleased to appoint, with effect from the 30th day of June, 1951—

GORDON ARMSTRONG SKIPPER

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

By Command of the Governor

Nairobi,
24th July, 1951JOHN WHYATT,
Member for Law and Order

GOVERNMENT NOTICE No 857

(S A J & L 12/6/1/IV)

THE COURTS ORDINANCE

(Cap 3)

APPOINTMENT

IN EXERCISE of the powers conferred by section 5 of the Courts Ordinance, the Governor has been pleased to appoint with effect from the 9th day of July, 1951—

JOHN KINGSMILL ROBERT THORP MBE

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 Commissioner Machakos District Central Province

By Command of the Governor

Nairobi
24th July, 1951JOHN WHYATT
Member for Law and Order

GOVERNMENT NOTICE No 858

(S A J & L 12/6/1/IV)

THE COURTS ORDINANCE

(Cap 3)

APPOINTMENT

IN EXERCISE of the powers conferred by section 5 of the Courts Ordinance, the Governor has been pleased to appoint with effect from the 12th day of July 1951—

NOEL GUY HARDY

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 Central Province

By Command of the Governor

Nairobi
24th July, 1951JOHN WHYATT
Member for Law and Order

GOVERNMENT NOTICE No 859

(S A J & L 12/6/1/IV)

THE COURTS ORDINANCE

(Cap 3)

APPOINTMENT

IN EXERCISE of the powers conferred by section 5 of the Courts Ordinance the Governor has been pleased to appoint with effect from the 9th day of July 1951—

GERARD MONTFORT BEBB

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

By Command of the Governor

Nairobi
24th July, 1951JOHN WHYATT,
Member for Law and Order

GOVERNMENT NOTICE No 860

(S A J & L 12/6/1/IV)

THE COURTS ORDINANCE

(Cap 3)

APPOINTMENT

IN EXERCISE of the powers conferred by section 5 of the Courts Ordinance, the Governor has been pleased to appoint, with effect from the 7th day of July, 1951—

OLIVER STANFORTH KNOWLES

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

By Command of the Governor

Nairobi,
24th July, 1951JOHN WHYATT,
Member for Law and Order

GOVERNMENT NOTICE No 861

(S A J & L 12/6/1/IV)

THE COURTS ORDINANCE

(Cap 3)

APPOINTMENT

IN EXERCISE of the powers conferred by section 5 of the Courts Ordinance the Governor has been pleased to appoint, with effect from the 1st day of July, 1951—

GEORGE RICHARD CRAWLEY

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 Nairobi District Central Province

By Command of the Governor

Nairobi,
23rd July, 1951JOHN WHYATT,
Member for Law and Order

GOVERNMENT NOTICE No 862

(S A J & L 12/6/1/IV)

THE COURTS ORDINANCE

(Cap 3)

APPOINTMENT

IN EXERCISE of the powers conferred by sections 5 and 6 of the Courts Ordinance, and all other powers thereunto enabling the Governor has been pleased to appoint, with effect from the 14th day of July 1951—

CHARLES HARRY CRESSWELL

to be a Magistrate of the Third Class with powers to hold a subordinate Court of the Third Class in the Northern Province and the Meru District of the Central Province, whilst holding his present appointment as District Officer Isiolo District Northern Province

By Command of the Governor

Nairobi
26th July 1951JOHN WHYATT
Member for Law and Order

GOVERNMENT NOTICE No 863

THE NATIVE AUTHORITY ORDINANCE

(Cap 97)

APPOINTMENT

IN EXERCISE of the powers thereunto enabling me, I hereby appoint the person named in the Schedule hereto to be official headman for the area named therein

Kisumu
23rd July, 1951C H WILLIAMS
*Provincial Commissioner
Nyanza Province*

SCHEDULE

Name	Area	With effect from	Remarks
Bartholomayo Nyabola s/o Owiti	Uyoma Location, Central Nyanza	1st July, 1951	On two years probation vice Jonathan Okwiri s/o Nvakinya, retired Appointed by G N 591/41

GOVERNMENT NOTICE No 864

(P H 48/5/11)

THE HOSPITAL TREATMENT RELIEF (EUROPEAN) ORDINANCE, 1951

(No 33 of 1951)

DECLARATION

IN EXERCISE of the powers conferred by section 10 of the Hospital Treatment Relief (European) Ordinance, 1951, the European Hospital Fund Authority with the approval of the Member for Education Health and Local Government, hereby declares that the undermentioned hospitals shall be hospitals for the purposes of the said Ordinance —

The Princess Elizabeth Hospital for Women
The Maia Carberry Nursing Home
The European Hospital, Nairobi
The European Hospital Kisumu
The Nakuru War Memorial Hospital
The Kitale European Hospital
The Eldoret Memorial Hospital
The Mount Kenya Hospital, Nyeri
The Bydand Nursing Home, Nairobi
The Mombasa European Hospital
Geitrude's Garden Children's Hospital

Nairobi,
July, 1951ROY N LAIRD,
*Chairman of the European
Hospital Fund Authority.*

GOVERNMENT NOTICE No 865

THE DISEASES OF ANIMALS ORDINANCE

(Cap 213)

NOTICE

IN EXERCISE of the powers conferred by section 4 of the Diseases of Animals Ordinance, I, Ernest Beaumont Director of Veterinary Services, do hereby declare—

- (a) the areas described in Schedule I, Schedule II and Schedule III to be 'infected areas' in respect of the diseases respectively indicated at the head of such Schedules, and
- (b) that the Government Notices and Proclamations specified in the first column of Schedule IV hereto be amended in the manner specified in the second column of such Schedule

Kabete,
25th July, 1951

E BEAUMONT,
Director of Veterinary Services

SCHEDULE I—EAST COAST FEVER

- L O 2911/1 J Dames, Esq, Igumiti Farm, P O Thomson's Falls Laikipia District
- L O 2922/2, W A F Edwards Esq, P O Thomson's Falls, Laikipia District
- L O 5280, 6564 and 3643/2, R R Forrester, Esq, P O Gilgil Naivasha District
- L O 1784, Captain C O Hagan, P O Nyeri Station, Nyeri District

SCHEDULE II—FOOT-AND-MOUTH DISEASE

- L O 8961, 6127 and 6128, J J H Engelbrecht, Esq P O Eldoret, Uasin Gishu District

SCHEDULE III—TRYPANOSOMIASIS

- L O 6296/1, L G Bentall, Esq, P O Subukia, Nakuru District

SCHEDULE IV

First Column	Second Column
Proclamation No 72 dated the 17th day of July, 1940	By deleting from Schedule II (Contagious Bovine Pleuro-pneumonia) thereto the following — "The Meru Reserve, the District Commissioner, Meru"
Proclamation No 49 dated the 3rd day of October, 1949	By deleting from Schedule I (East Coast Fever) thereto the following — "L R 2913, W Levet, Esq Thomson's Falls, Laikipia District"
Government Notice No 998 dated the 6th day of September, 1950	By deleting from Schedule II (Rinderpest) thereto the following — "Makueni Settlement Area N'rai Location, Simba-Emali Grazing Area, The District Commissioner, Machakos, Machakos District"
Government Notice No 375 dated the 30th day of March 1951	By deleting from Schedule II (Foot-and-mouth Disease) thereto the following — "Thegege Location and that part of Tetu Location South of the River Chania, The District Commissioner, Nyeri"
Government Notice No 501 dated the 25th day of April 1951	By deleting from Schedule I (Foot-and-mouth Disease) thereto the following — "The area South of Chania of Aguthi Location, The District Commissioner, Nyeri"
Government Notice No 746 dated the 22nd day of June, 1951	By deleting from Schedule I (East Coast Fever) thereto the following — "L O 5224, C M Methrell Esq, Cecilia Farm, P O Subukia, Nakuru District"

GOVERNMENT NOTICE No 866

(S/A Def 30.2 1/1/II)

THE KENYA REGIMENT (TERRITORIAL FORCE) ORDINANCE

(Cap 89)

COMMISSION

IN EXERCISE of the powers conferred upon the Governor by section 3 of the Kenya Regiment (Territorial Force) Ordinance, and all other powers thereunto enabling the Governor's Deputy has been pleased to Commission, with effect from the 26th day of July, 1951, the following person as an officer of the Regiment —

To be Second Lieutenant—

JAMES MCKILLOP

By Command of the Governor's Deputy

Nairobi,
26th July, 1951

C H HARTWELL,
Acting Deputy Chief Secretary

GOVERNMENT NOTICE No 867

THE NATIVE LANDS TRUST ORDINANCE

(Cap 100)

SETTING APART OF LAND

WHEREAS I consider it desirable to set apart, under section 21 of the Native Lands Trust Ordinance, certain portions of land, more particularly described in the Schedule below, in the Nyeri District of the Nyeri Native Land Unit, and whereas this setting apart has been duly approved by the proper authority (and compensation deposited with the District Commissioner), I do hereby in accordance with the provisions of sub-section (1) of section 15 of the aforesaid Ordinance notify that the areas of land described in the Schedule below have been set apart for the purposes specified in the said Schedule

Nyeri

18th July, 1951

E H WINDLEY,
Provincial Commissioner
Central Province

SCHEDULE

(1) Place—Tumutumu

Purpose—Nurses hostel

Name of applicant—Nyeri African District Council

Area—5 acres (approximately)

Situate in—Kirimukuyu Location

Description of boundaries—A pentagonal plot of 5 acres starting from a point B beside Nyeri-Tumutumu Road for 22 feet to point C on a magnetic bearing of 150 degrees, thence for 243 feet to point D at 97 degrees, thence for 83 feet to point E at 108 degrees, thence for 146 feet to point A at 115 degrees thence for 188 feet to the point of commencement

(2) Place—Kiangararu (near Karatina)

Purpose—Coffee factory

Name of applicant—Nyeri African District Council

Area—2 acres (approximately)

Situate in—Konyu Location

Description of boundaries—A hexagonal plot of 2 acres starting from a point A 37 feet off Karatina-Kiangararu Road for 420 feet to point B on a magnetic bearing of 0 degrees, thence for 70 feet to point C at 178 degrees, thence for 270 feet to point D at 101 degrees, thence for 70 feet to point E at 202 degrees, thence for 225 feet to point F at 80 degrees, thence for 250 feet to the point of commencement

(3) Place—Karatina

Purpose—Health centre and extension to dispensary

Name of applicant—Nyeri African District Council

Area—13 acres (approximately)

Situate in—Konyu Location

Description of boundaries—A trapezoid plot (Area "J") of 73 acres starting from a point A 100 feet off Nairobi-Nanyuki railway line for 245 feet to point B on a magnetic bearing of 90 degrees thence for 65 feet to point C at 123 degrees, thence for 272 feet to point D at 62 degrees, thence for 192 feet to the point of commencement

GOVERNMENT NOTICE No 868

(S A Lab 24/11/4)

THE REGULATION OF WAGES AND CONDITIONS OF EMPLOYMENT ORDINANCE, 1951

WAGES ADVISORY BOARD

APPOINTMENT

IN EXERCISE of the powers conferred upon him by sub-section (1) of section 4 of the Regulation of Wages and Conditions of Employment Ordinance 1951, the Governor in Council has been pleased to appoint the following persons to constitute the Wages Advisory Board —

Chairman and Independent Member—

The Hon Sir Charles Mortimer, K T C B E M L C

Deputy Chairman and Independent Member—

The Hon S G Ghesie M L C

Independent Member—

Mr R S Hickson-Mahony, O B E

Employers Representatives—

Mr F T Holden, C B E

Mr J A Dwen

Employees Representatives—

Mr Chanan Singh

Mr J G Njoroge

Secretary and Executive Officer—

Lt-Col E N Jameson, O B E

By Command of the Governor in Council

Nairobi,
7th July 1951

H A C HOWARD,
Clerk to the Executive Council

GOVERNMENT NOTICE No 869

HIS EXCELLENCY the Governor is pleased to announce that the Royal Humane Society has awarded its Bronze Medal and Certificate to No 4107 Constable Sila Mumo in recognition of his bravery when on the night of 1st September 1950 he manned a launch single-handed at Kilindini Harbour and went to the rescue of the four occupants of a wrecked motor boat. After rescuing three of the occupants he dived into the sea and recovered the body of the fourth at considerable risk to his own life.

Nairobi,
27th July 1951

GOVERNMENT NOTICE No 870

KISHI TOWNSHIP COMMITTEE

APPOINTMENT

IN EXERCISE of the powers thereunto enabling me, I hereby appoint the following to be a member of the Kishi Township Committee for the year 1951 —

MR T I MITCHELL *vice* MR R WILSON

DR F BELL *vice* DR C FOSTER

Government Notice No 266 of 13th March, 1951, is amended accordingly

C H WILLIAMS,
Provincial Commissioner
Nyanza Province

GOVERNMENT NOTICE No 871

THE KENYA POLICE RESERVE

APPOINTMENT

IT IS hereby notified that the following has been appointed an officer in the Kenya Police Reserve with effect from the date stated —

District Commandant—

Mr J E Spearing (1st July, 1951)

Nairobi,
July, 1951

M S O'RORKE
Commissioner of Police

GENERAL NOTICE No 1879

THE CROWN LANDS ORDINANCE, 1915

CITY OF NAIROBI

SITE FOR MULTI-STORIED BUILDING

TENDERS in terms of stand premium are invited for the grant of the leasehold of the surveyed Plot No 2362 in the City of Nairobi situated at the corner of Eliot Street and York Street for the purpose of erecting a multi-storied building comprising business premises on the ground floor and business and/or residential accommodation above.

2 A plan of the site may be inspected at the Public Map Office of the Survey Department, Nairobi, or a copy may be obtained at the office of the Director of Surveys, P O Box 1766, Nairobi, on payment of Sh 4, post free.

CONDITIONS OF SALE

(A) Tenders

(1) Sealed envelopes marked "Tender for Plot 2362" must be deposited with the undersigned before noon on 30th September, 1951.

(2) Tenders should be accompanied by a statement indicating—

(a) the detailed proposals of the tenderer for the development of the site, illustrated by a site sketch plan drawn to scale and showing an outline ground floor plan and elevation,

(b) the amount of capital available for development purposes and a banker's guarantee to this effect.

(3) The successful tenderer will be required to pay within seven days of notification that his tender has been accepted 25 per cent of the amount tendered, together with the rent due to 31st December, 1951.

(4) The balance of the purchase price will be payable on demand prior to the issue of title.

(5) The survey fees and the fees (Sh 120) payable in respect of the preparation and registration of the title, together with the stamp duty (which is approximately 2 per cent of the purchase price and the rent) in respect of the grant, must be paid within seven days of the demand therefor. Title will be issued as soon as conveniently possible.

(6) In the consideration of the tenders regard will be had to the relative merits of the proposed plans for construction and the financial sufficiency of the tenderer to undertake such construction.

No tender of a sum less than that indicated in the Schedule or the reserve price will be considered. The highest or any tender will not necessarily be accepted.

(B) General

(1) The Government or such person or authority as may be appointed for the purpose shall have the right to enter upon the 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.

(2) No buildings shall be erected on the plot unless and until plans (including block plans showing the position of the buildings), drawings, elevations and specifications thereof have been previously approved by the local 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, for necessary action in the first instance.

(3) No buildings erected on the said land may be used or occupied until the grantee shall have submitted a block plan with the positions of such buildings, clearly defined and showing a system of drainage for dealing with sewage, sullage and surface water on the said land which shall satisfy the Commissioner of Lands and the local authority that such system of drainage has been properly constructed, such satisfaction in both cases to be expressed in writing.

(4) The grantee shall duly and suitably connect such drainage system with any town drainage system when in the opinion of the Commissioner of Lands and the local authority the latter system is so far completed as to enable the grantee reasonably so to do.

(5) The grantee shall not at any time subdivide the plot. No sale transfer or assignment of the plot shall be effected until the buildings required under Special Condition C (1) below have been completed to the satisfaction of the Commissioner of Lands and the local authority.

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

(7) The grantee shall be required to pay all rates, taxes, duties, assessments, and charges of whatsoever description which now or at any future date may be charged, assessed, levied, or imposed upon the land or any building thereon by any Government or local authority including any contribution paid by Government in lieu thereof. A condition will be embodied in each grant providing for the necessary adjustment between the grantee and the Government.

(C) Special

(1) The grantee shall be required to erect upon the plot complete for use within 24 months from the commencement of the term of the grant a multi-storied building of approved design in accordance with the development conditions imposed on the acceptance of the tender and shall maintain the same both internally and externally in a good and substantial tenantable repair and condition during the continuance of the term of the grant and shall be required to comply with all other structural development conditions within the same period of 24 months.

(2) The plot shall be used for the purpose of business on the ground floor and for business and/or residence on subsequent floors and for no other purposes whatsoever.

(3) The grantee shall not at any time during the term of the grant erect buildings to cover more than 90 per cent of the area of the plot.

Nairobi
27th July, 1951

E R COUSINS,
Special Commissioner and
Acting Commissioner of Lands

SCHEDULE

Plot No —209/2362

Area — 1808 acre (approximately)

Minimum stand premium —Sh 126,000

Annual rent —Sh 25,200

Survey fees —Sh 120

GENERAL NOTICE No 1835

EAST AFRICAN RAILWAYS AND HARBOURS

SALE OF LOST AND UNCLAIMED PROPERTY

NOTICE is hereby given that under section 47 of the East African Railways and Harbours Act, 1950, a sale of lost and unclaimed property will be held at the Goods Shed, Nairobi at 9 30 a m on Thursday and Friday, 9th and 10th August

A detailed list of articles may be seen on application, after 25th July, at the offices of the Superintendent of the Line, Nairobi, District Traffic Superintendents, Nairobi, Mombasa, Nakuru and Kampala, and Assistant Traffic Superintendents, Kisumu and Tanga, and also Station Masters, Mombasa, Voi, Nakuru, Eldoret, Tororo, Jinja and Moshi

Nairobi,
14th July, 1951

J R FARQUHARSON
Acting General Manager

GENERAL NOTICE No 1865

IN THE LEGISLATIVE COUNCIL OF THE COLONY AND PROTECTORATE OF KENYA

NOTICE is hereby given under Standing Rule and Order No 94 of the Standing Rules and Orders of the Legislative Council of the Colony and Protectorate of Kenya that permission will be sought by the British Standard Portland Cement Company Limited, a limited liability company incorporated in the Colony of Kenya with registered offices situate at Sadler House Sadler Street in the City of Nairobi in the said Colony, to introduce into the Legislative Council a Bill entitled —

An Ordinance to authorize the manufacture of cement on certain land near Bamburi in the Colony and Protectorate of Kenya by the British Standard Portland Cement Company Limited, and to provide for the grant of a lease of such land to the said Company for the aforesaid purpose and for purposes incidental to and connected therewith

A petition will therefore be introduced asking for leave to proceed with the said Bill and if such leave to proceed is granted then the said Bill (copies whereof can be inspected at the offices of Messrs Buckley Hollister & Co, advocates, Avenue House, Delamere Avenue, Nairobi) will accordingly be introduced into Legislative Council

BUCKLEY, HOLLISTER & CO

Advocates for the above-named

Nairobi,

21st July, 1951

British Standard Portland Cement Company Limited Nairobi

GENERAL NOTICE No 1880

THE WATER ORDINANCE 1929

Nundoroto River Eldoret District

APPLICATION by S W B Steyn of Plateau for a water right from the Nundoroto River on L R No 6876/2 for net quantities of 1,900 and 5,000 gallons per day of normal flow for domestic use and minor irrigation

Plans may be seen at the Public Works Department Head Office Nairobi and at the office of the Water Bailiff Public Works Department, Eldoret

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

S W B STEYN *Applicant*
P O Plateau

GENERAL NOTICE No 1881

THE WATER ORDINANCE 1929

Tributary of Ngushishu River Timau District

APPLICATION by Mrs G M Thompson of Timau for a water right from a tributary of the Ngushishu River on L R No 3181 for net quantities of 3,000 and 100,000 gallons per day of normal flow for domestic use and general irrigation respectively

These quantities are in lieu of 18 per cent of the flow of the river measured at the eastern boundary of L R No 3181 already sanctioned for general irrigation

Plans may be seen at the Public Works Department Head Office Nairobi, and at the office of the Water Bailiff Public Works Department, Nanyuki

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 THOMPSON,
Lawfully Authorized Agent,
Ardencapel Farm Timau

GENERAL NOTICE No 101

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 25-7-51

Cr C No 166/51 Rex vs (1) V A Weiss, (2) J C Mackinnon,
(3) Mrs M J Ryan

SUPREME COURT CRIMINAL SESSIONS AT NAIROBI 13-8-51

Cr C No 112/50 Rex vs Muthembi wa Mutua
Cr C No 172/51 Rex vs Cyril Leshe Randall
Cr C No 173/51 Rex vs Kyalos s/o Kinyumu and Wambua
s/o Masila
Cr C No 185/51 Rex vs Ngaira s/o Shinyonia
Cr C No 189/51 Rex vs Omina s/o Orenya

SUPREME COURT CRIMINAL SESSIONS AT ELDORET 14-8-51

Cr C No 34/51 Rex vs Mukaa s/o Akamuk alias Lochoto
Iorien s/o Esokon alias Eyoron
Cr C No 61/51 Rex vs Kimani wa Kibuku
Cr C No 99/51 Rex vs Kiror s/o Kelem
Cr C No 100/51 Rex vs Daudi Masheti s/o Mumanu and
Butichi s/o Shireche
Cr C No 107/51 Rex vs Cheboroi arap Chemoi
Cr C No 109/51 Rex vs Kinyanzio s/o Tabani
Cr C No 121/51 Rex vs Wambete s/o Nasamu
Cr C No 130/51 Rex vs Chesengeywa s/o Kadiren
Cr C No 131/51 Rex vs Kaptapaier s/o Merkon
Cr C No 163/51 Rex vs Chelagat s/o Chepkirwok

D F SHAYLOR, *Registrar*
H M Supreme Court of Kenya

GENERAL NOTICE No 1827

IN HIS MAJESTY'S COURT OF APPEAL FOR
EASTERN AFRICA
AT NAIROBI
CAUSE LIST

Before Nihill, P, Worley, V P, and Lockhart-Smith, J of A
Tuesday, 31st July, 1951, at 10 a m

For Hearing

Cr A No 35/51 Rex vs Ndominico s/o Gatu

Wednesday, 1st August, 1951, at 10 a m

For Hearing

Cr A No 76/51 Rex vs Lumbete s/o Mudade
Cr A No 93/51 Rex vs Jeremiah s/o Mwangi
Cr A No 94/51 Rex vs Asengo s/o Othieno
Cr A No 95/51 Rex vs Kisang arap Kibiwot
Cr A No 108/51 Rex vs Ikonge d/o Obege

Thursday, 2nd August, 1951, at 10 a m

For Hearing

Cr A No 106/51 Rex vs Matu s/o Gichimu (Application)
Cr A No 111/51 Rex vs Hussein Ba-Habib (Part heard)

Friday 3rd August, 1951, at 10 a m

For Hearing

Cr A No 18/51 Rex vs Kairu s/o Kanyoro (Application)
Cr A No 140/51 Rex vs Kenga s/o Ngambo
Cr A No 145/51 Rex vs Katune s/o Kambi
Cr A No 129/51 Rex vs Sweta s/o Ajwang
Cr A No 142/51 Rex vs Kinyoriu s/o Kagure

Tuesday, 7th August, 1951, at 10 a m

For Hearing

Cr A No 125/51 Rex vs Chimanlal M Patel
Cr A No 127/51 Rex vs Ndasa s/o Magwala

Wednesday, 8th August, 1951 at 10 a m

No 137/51 Rex vs Mohamed s/o Salam
No 138/51 Rex vs Hamisi s/o Salum

Tuesday, 14th August 1951, at 10 a m

For Hearing

Cr A No 45/51 Rex vs Kartar Singh Joginder Singh
Cr A No 57/51 Rex vs Naresh Chander Sharma
Cr A No 58/51 Rex vs Bachan Singh s/o Santa Singh
Cr A No 73/51 Rex vs Balbir Sain Joshi

Wednesday 15th August, 1951, at 10 a m

For Hearing

Cr A No 118/51 Rex vs Mohanlal Nathoo Bakrani
Cr A No 108/51 Rex vs Ikonge d/o Obege
Cr A No 141/51 Rex vs Kariuki s/o Kamau
Cr A No 144/51 Rex vs Ndegwa s/o Njuguna

Thursday, 16th August 1951, at 10 a m

For Hearing

Cr A No 143/51 Rex vs Karanja s/o Kiratai
Cr A No 56/51 Rex vs Mohamed Sheriff s/o Nizam Din
Cr A No 61/51 Rex vs Ndegwa s/o Kuria

Tuesday 21st August, 1951 at 10 a m

Uganda Criminal Appeals

Nairobi
20th July, 1951

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

GENERAL NOTICE No 1882

NANYUKI TOWNSHIP

Section II of Local Government (Rating) Ordinance
(Cap 137)

TO ALL OWNERS OF PROPERTY

YOU ARE hereby informed that the Nanyuki Valuation Court sitting on 16th July, 1951, having completed its examination of the Valuation Roll, 1951, of Nanyuki Township area, the same shall become fixed and binding on all parties concerned who shall not before 1st September 1951, appeal from the decision of the Valuation Court to the Court of the Resident Magistrate, Nyeri

Nanyuki,
July, 1951D G HARRIS, *Chairman*
Nanyuki Valuation Court

GENERAL NOTICE No 1883

NORTHERN PROVINCE LIQUOR LICENSING COURT

NOTICE is hereby given that the next meeting of the Northern Province Liquor Licensing Court will be held at the office of the District Commissioner, Isiolo on Monday, 12th November, 1951, at 10 a.m.

All applications for new licences and confirmation of transfers or provisional licences must reach the District Commissioner's Office, Isiolo, Northern Province, on or before the 25th day of September, 1951, together with Sh 10 stamp fee on each application

Isiolo,
18th July, 1951S I ELLIS, *Chairman*
Northern Province Liquor
Licensing Court

GENERAL NOTICE No 1884

PUBLIC WORKS DEPARTMENT

NOTICE TO ROAD CONTRACTORS

APPLICATIONS are invited from road contractors to tender for the complete construction of a four mile section of the new Nandi Hills Escarpment Road. The work involved will comprise—

- (a) earthworks—approximately 92,000 cubic yards,
- (b) gravel wearing surface—approximately 8,000 cubic yards,
- (c) four No 6 ft by 6 ft concrete culverts,
- (d) 1,300 lineal ft of 24 in pipe culverts,
- (e) rubble masonry walls—approximately 1 200 cubic yards

Applications should be accompanied by a deposit of shillings one hundred (Sh 100) and should be sent to the hon Acting Director of Public Works, Head Office, Public Works Department, P O Box 662 Nairobi, not later than 18th August 1951

The Director of Public Works reserves the right to reject any or all applications. Tender deposits will be returned to unsuccessful applicants

G D RHODES,
Acting Director of Public Works

GENERAL NOTICE No 1885

(Lan 10/1/1)

LANGUAGE EXAMINATIONS

THE following results are notified for general information —
STANDARD SWAHILI—MARCH 1951

(Pass Oral Part Only)

N J Woodgates, Police

PRELIMINARY ORAL SWAHILI

(Pass)

C H Cresswell, Administration
W P Hartley, Agriculture
S R T Turnbull, Agriculture
R G Aers, Land
Miss J Morris, Medical
H M Whitehall, Prison
N Whiston, Public Works
H Houghton, Public Works
R T Arnold, Public Works
Miss M B Noon, Public Works
J J Dallas, Public Works
A H Randall, Public Works
G C Allison, Public Works
T J Banham, Public Works
D F Jenkinson, Public Works
W H Bartlett, Public Works
E R Ciosher, Public Works
T S Reed, Public Works
A J Marshall, Public Works
J R Hannah, Public Works
L P Adams, Survey
I Bond, Veterinary

CORRIGENDUM

General Notice No 1534 of 19th June 1951 Preliminary Oral Swahili Examination

Instead of G C Day, Police, read G C Dry, Police

Nairobi,
23rd July, 1951R H SYMES-THOMPSON,
Secretary Languages Board

GENERAL NOTICE No 1886

KITALE LIQUOR LICENSING COURT

NOTICE is hereby given that the next meeting of the Kitale Liquor Licensing Court will be held at the office of the District Commissioner, Kitale, on Monday, 12th November, 1951 at 10 a.m.

All applications for new licences and confirmation of transfers and renewals must reach the District Commissioner's Office Kitale on or before 10th October, 1951 together with Sh 10 stamp fee on each application

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

Kitale
18th July, 1951F R WILSON, *Chairman*
Trans Nzoia Liquor Licensing Court

GENERAL NOTICE No 1887

THE ABERDARE DISTRICT COUNCIL

CASUAL VACANCY—NARO MORU WARD

NOTICE is hereby given, in accordance with section 22 of the Local Government (District Councils) Ordinance (Cap 140) that an election will take place on Saturday, 11th August, 1951 in order to fill a casual vacancy caused by the resignation of Mr C Bathurst Norman

Every candidate for election must be a person whose name appears on the Aberdare District Council's Voters Roll

Forms of nomination may be obtained at the offices of the Aberdare District Council, Nanyuki

Completed nomination papers must be delivered to the undersigned in person or by registered post not later than 1 p.m. on the above-mentioned date

Nanyuki,
23rd July, 1951E V HULME,
Returning Officer

GENERAL NOTICE No 1888

THE WATER ORDINANCE, 1929

Ngong River Nairobi District

APPLICATION by the City Council of Nairobi for a water right from the Ngong River on L.R. No 210/R for net quantities of 6,000 gallons per day of flood flow for domestic use

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

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

JOHN RISEBOROUGH,
Town Clerk
Lawfully Authorized Agent
Town Hall Nairobi

GENERAL NOTICE No 1889

THE WATER ORDINANCE, 1929

Teleswani River Timau District

APPLICATION by Mrs A M Lucy for a water right from the Teleswani River on L.R. No 2888/R for net quantities of 23,800 gallons per day and 300,000 gallons per day of normal flow and flood flow respectively for the purpose of general irrigation. This quantity is in addition to 30,000 gallons per day of normal flow already sanctioned

Plans may be seen at the Public Works Department Head Office, Nairobi, and at the office of the Water Bailiff, Public Works Department, Nanyuki

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

(Mrs) A M LUCY, *Applicant*,
P O Timau

GENERAL NOTICE No 1890

THE WAR LOAN ORDINANCE, 1940

LOSS OF BOND CERTIFICATES

IN PURSUANCE of the provisions of regulation 17 (2) of the War Loan Regulations, 1940, notice is hereby given that the undernoted 2½ per cent East African War Bonds Certificates have been lost and that it is proposed after the expiration of 30 days from the date of this notice to issue duplicates of such certificates —

Series B 1949/51 Issue

No—5369 for £5

Name—Mr Maynard Gibson Mbella

No—4846, for £5

Name—Mr Athanasios Kokorogianis

No—2895 for £25

Name—Miss Diana Anne Gladwell

No—9584, for £50

Name—Miss Violet Grace Lilian Gladwell

E J PETRIE,
Accountant General

GENERAL NOTICE No 189'

IN HIS MAJESTY S SUPREME COURT OF KENYA
AT NAIROBI
CIVIL CASE No 27 OF 1951
IN THE MATTER OF KINGSWAY PRESS, LIMITED
AND
IN THE MATTER OF THE COMPANIES ORDINANCE
1933

NOTICE is hereby given that a petition for the winding up of the above-named company by the Court was on the 30th day of May, 1951, presented to the said Court by A H Waidle and Company, Ltd, whose registered office is situate in Government Road, Nairobi. And that the said petition is directed to be heard by the Supreme Court sitting at Nairobi on the 28th day of September, 1951, and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person or by his advocate for that purpose and a copy of the petition will be furnished to any creditor or contributory of the said company requiring the same by the undersigned on payment of the regulated charge for the same.

Signed on behalf of the Petitioning Creditor

E C HARRISON,
for Hamilton Harrison & Mathews
Advocates Nairobi House Nairobi

Note—Any person who intends to appear on the hearing of the said petition must serve on or send by post to the above named Hamilton, Harrison & Mathews, Nairobi House, Nairobi, notice in writing of his intention so to do. This notice must state the name and address of the person or firm, the name and address of the firm and must be signed by the person or firm or his or their advocate (if any), and must be served or if posted must be sent by post in sufficient time to reach the above named not later than 4 o'clock in the afternoon of the 21st day of September, 1951.

GENERAL NOTICE No 1892

IN HIS MAJESTY S SUPREME COURT OF KENYA
AT MOMBASA
WINDING-UP PROCEEDINGS No 1 OF 1949
IN THE MATTER OF THE COMPANIES ORDINANCE
(Cap 288)
AND
IN THE MATTER OF THE EXCHANGE BANK OF INDIA
AND AFRICA, LIMITED
(In Liquidation)

NOTICE OF INTENDED DIVIDEND

Name of company—The Exchange Bank of India and Africa, Limited
Address of registered office—Bombay Co-operative Building, 18 Sir Phirozshah Mehta Road, P O Box 177, Fort, Bombay, India
Court—H M Supreme Court of Kenya at Mombasa
No of matter—Winding-up Proceedings No 1 of 1949
Last day for receiving proofs—13th August, 1951
Name of liquidator—The Official Receiver
Address—Law Courts Building, P O Box 231, Nairobi

Nairobi, J F SPRY
24th July, 1951 Official Receiver and Liquidator

GENERAL NOTICE No 1893

ESTATE OF THE LATE GUY THOMAS HANMER

PURSUANT to the Trustee Ordinance (No 28 of 1929), all persons having claims against the estate of the late Guy Thomas Hanmer who died on 19th April, 1951, are required to send particulars thereof to Trustee Department, Barclays Bank (Dominion, Colonial & Overseas), P O Box 1120 Nairobi, Kenya Colony, on or before 27th September, 1951, after which date the executors will proceed to distribute the assets having regard only to valid claims then notified.

20th July, 1951 TRUSTEE DEPARTMENT,
Barclays Bank (D C & O) Nairobi

GENERAL NOTICE No 1894

ESTATE OF THE LATE THE LADY VIOLA CONDUITT

PURSUANT to the Trustee Ordinance (No 28 of 1929), all persons having claims against the estate of the Lady Nellie Viola Castalia Florence Conduitt late of Nakuru in the Colony of Kenya, who died on 19th July, 1951, are required to send particulars thereof to Trustee Department, Barclays Bank (Dominion, Colonial & Overseas), P O Box 1120 Nairobi, Kenya Colony, on or before 27th September, 1951 after which date the executors will proceed to distribute the assets having regard only to valid claims then notified.

20th July 1951 TRUSTEE DEPARTMENT,
Barclays Bank (D C & O) Nairobi

GENERAL NOTICE No 1895

ESTATE OF THE LATE JOHN ST MAUR RAMSDEN

PURSUANT to the Trustee Ordinance (No 28 of 1929) all persons having claims against the estate of the late John St Maur Ramsden, late of Penang Federation of Malaya, who died on 8th June 1948, are required to send particulars thereof to Trustee Department, Barclays Bank (Dominion, Colonial and Overseas) P O Box 1120 Nairobi, Kenya Colony, on or before 27th September, 1951, after which date the executors will proceed to distribute the assets having regard only to valid claims then notified.

25th July, 1951 TRUSTEE DEPARTMENT,
Barclays Bank (D C & O), Nairobi

GENERAL NOTICE No 1896

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930

PURSUANT to the above Ordinance, notice is hereby given that the business of provision merchant carried on by Prabhshanker Harjivan Upadhyaya under the name or style of "Beikley Stores" on Plot No 209/1623/1 Fort Hall Road, Nairobi in the Colony of Kenya, has been transferred as from the 12th day of July 1951, to Rahmetulla Rajan Nanji who will carry on the said business under the same name or style of "Beikley Stores".

The address of the said Prabhshanker Harjivan Upadhyaya is Fort Hall Road Nairobi.

The address of the said Rahmetulla Rajan Nanji is Fort Hall Road Nairobi.

The said Rahmetulla Rajan Nanji does not assume, nor does he intend to assume any liabilities whatsoever incurred in the said business by the said Prabhshanker Harjivan Upadhyaya up to and including the 13th day of July 1951.

Nairobi,
13th July, 1951

PRABHASHANKER HARJIVAN UPADHYAYA,
Transferor
RAHMETULLA RAJAN NANJI,
Transferee

GENERAL NOTICE No 1897

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE 1930

NOTICE is hereby given that the business of provision and ration merchant carried on by Abdul Majid in Shop No 4 on Plot No 2, Eastleigh, Nairobi under the name or style of Supreme Provision Stores has been sold and transferred on the 4th day of July, 1951, to Maria Filomena Ida Leal Fernandes who will carry on the said business under the same name at the same place.

The address of the transferor is P O Box 3063 Nairobi.

The address of the transferee is P O Box 5923, Nairobi.

All debts due to and owing by the said Supreme Provision Stores up to the date of sale, viz the 4th day of July 1951, will be received and paid by the said Abdul Majid, and the transferee does not assume nor does she intend to assume any liabilities incurred by the transferor up to and including the date of the sale.

ABDUL MAJID Transferor
MARIA FILOMENA IDA LEAL FERNANDES,
Transferee

GENERAL NOTICE No 1898

Re SAID BIN MBARUK BIN MOHAMED SHIKELY
DECEASED

NOTICE is hereby given that all creditors and others having any claims against the estate of Said bin Mbaruk bin Mohamed Shikely, late of Mombasa who died on the 5th day of December, 1950 and whose will was proved in His Majesty's Supreme Court of Kenya, in the District Registry at Mombasa, in Probate and Administration Cause No 11 of 1951, by Mohamed Said bin Mbaruk Shikely, the executor, are hereby required to send particulars thereof in writing to the undersigned advocates on or before the 30th day of September, 1951 after which date the said executor will proceed to distribute the assets of the deceased among the persons entitled thereto, having regard only to the claims of which he shall then have had notice and will not be liable for the assets of the deceased or any part thereof so distributed to any person or persons of whose claims or demands he shall not then have had notice.

21st July, 1951 A C SATCHU
for Satchu & Satchu
Advocates for the said Executors
P O Box 537, Mombasa

GENERAL NOTICE No 1899

THE MEDICAL PRACTITIONERS AND DENTISTS
ORDINANCE

THE undermentioned has been registered in accordance with the terms of the Medical Practitioners and Dentists Ordinance (Cap 125 of the 1948 Edition) —

Name—Jackson Spencer M.R.C.S. (ENG.), L.R.C.P. (LOND.)
M.B. B.S. (LOND.) 1938 D.P.H. (LOND.) 1947

Address—P.O. Box 641, Nairobi

Practice—Government

GENERAL NOTICE No 1900

NOTICE OF DISSOLUTION

NOTICE is hereby given that the partnership heretofore subsisting between Tribhovan Lallubhai and Chhaganlal Lallubhai, carrying on business under the name or style of 'Lucky Boot House' on Plot No 2571, Government Road, Nairobi, has been dissolved by mutual consent as from the 20th day of July, 1951 so far as it concerns the said Chhaganlal Lallubhai who has retired from the said firm

The said business as from the 20th day of July, 1951 is being carried on by the said Tribhovan Lallubhai as the sole proprietor under the same firm name and at the same place

All debts due to or owing by the said late partnership have been agreed to be received and paid by the said Tribhovan Lallubhai

TRIBHOVAN LALLUBHAI,
Continuing partner
CHHAGANLAL LALLUBHAI
Retiring partner

Nairobi,
20th July, 1951

GENERAL NOTICE No 1901

NAIVASHA DISTRICT COUNCIL

NAIVASHA DISTRICT COUNCIL (PROVIDENT FUND) BY-LAWS

NOTICE is hereby given that the Naivasha District Council proposes to make a By-law to provide for the establishment of a Provident Fund for certain of its employees

A copy of the proposed By-law may be seen at the Council Offices Naivasha, during normal working hours

Any person wishing to lodge an objection to the proposed By-law must do so within fourteen days from the date of this notice

Naivasha,
27th July, 1951

J. C. KERR, *Executive Officer,*
Naivasha District Council

GENERAL NOTICE No 1902

NAIVASHA DISTRICT COUNCIL

THE LOCAL GOVERNMENT (DISTRICT COUNCILS) ORDINANCE

THE NAIVASHA DISTRICT COUNCIL (LICENSING OF DOGS)
BY LAWS 1951

NOTICE is hereby given that the Naivasha District Council proposes to make a By-law whereby the licensing of dogs in the District will be made compulsory

The fee charged for a dog licence will be Sh 5 per annum

A copy of the proposed By-law may be seen at the Council Offices, Naivasha, during normal working hours

Any person wishing to lodge an objection to the proposed By-law must do so within fourteen days of the publication of this notice

Naivasha
27th July, 1951

J. C. KERR, *Executive Officer,*
Naivasha District Council

GENERAL NOTICE No 1903

NYANZA LIQUOR LICENSING COURT

NOTICE is hereby given that the next meeting of the Nyanza Liquor Licensing Court will be held at the office of the District Commissioner, Kisumu, on Monday, 12th November, 1951, at 10 a.m.

All applications for new licences confirmation of transfers and renewals must reach the District Commissioner's Office P.O. Box 47 Kisumu on or before 25th September 1951 together with Sh 10 stamp fee on each application

General Notice No 1745 of 17th July 1951, is hereby cancelled

Kisumu
31st July, 1951

T. A. WATTS, *Chairman*
Nyanza Liquor Licensing Court

GENERAL NOTICE No 1904

HASSAM MOHAMED KALLA (H. M. KALLA)
DECEASED

TAKE NOTICE that all persons having any claim against the estate of the above-named Hassam Mohamed Kalla (also known as H. M. Kalla) deceased who died on the 26th day of May, 1951 at Nairobi in the Colony of Kenya, are requested to send particulars of such claim to the undersigned on or before 15th August, 1951

Nairobi,
25th July 1951

MADAN & SHAH,
Advocates for the Executors
P.O. Box 944 Nairobi

GENERAL NOTICE No 1905

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 106 OF 1951

In the matter of the estate of Mrs Amelia Morson deceased

TAKE NOTICE that all persons having any claims against the estate of the above-named Mrs Amelia Morson, deceased who died at Goidy Hall, Pendine, Carmarthen Wales, on the 18th day of October, 1950, are required to lodge and prove their claims with the undersigned Advocates for the Executor on or before the 31st day of August 1951 after which date the claims so proved will be paid and the estate distributed according to law

Nairobi,
27th July, 1951

For Stephen & Bickerton Williams,
F. R. STEPHEN,
Advocates for the Executor
Cambrian Building
Government Road Nairobi
P.O. Box 650, Nairobi

GENERAL NOTICE No 1906

THE CREDIT TO AFRICANS (CONTROL) ORDINANCE

CERTIFICATES of Exemption under the Credit to Africans (Control) Ordinance have been granted to the following —

No—36

Name—Paul Joseph Ngei

Address—Tala P.O. Kangundo, Machakos

Description—Cycle repairer and accessories dealer

Date of registration—23rd July 1951

No—37

Name—Alfred Mingusa Akech

Address—Shop No 208, Pumwani, c/o P.O. Box 3052, Nairobi

Description—Trader

Date of registration—27th July, 1951

Nairobi
27th July, 1951

M. S. NEWTON
for Registrar General

GENERAL NOTICE No 1907

THE WATER ORDINANCE, 1929

Muringato River Nyeri District

APPLICATION by Messrs Soames and Ashton of Nyeri for a water right from the Muringato River on L.R. Nos 1786 and 1787 for net quantities of 1,300 and 3,700 gallons per day of normal flow for domestic use and minor irrigation respectively

Plans may be seen at the Public Works Department Head Office, Nairobi, and at the office of the Water Bailiff, Nyeri

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

R. JOHNSTON,
Lawfully Authorized Agent
P.O. Box 3, Nyeri

GENERAL NOTICE No 1908

THE BANKRUPTCY ORDINANCE

ADJUDICATION

Summary Case

Debtor's name—Bachint Singh s/o Ajan Singh

Address—Plot No 697/1/10, Campos Ribeiro Street, Nairobi

Description—Restaurant keeper

Court—H.M. Supreme Court Nairobi

No of matter—8 of 1951

Date of order—6th July, 1951

Date of petition—3rd April, 1951

Date of order for summary administration—21st June 1951

Nairobi,
27th July, 1951

J. F. SPRY,
Official Receiver

GENERAL NOTICE No 1909

THE NYANZA CONSUMERS, LIMITED

NOTICE is hereby given that a share certificate No 15 dated 1st February 1951, issued in favour of Mr F I Patel P O Box 99, Kisumu for 400 shares in this company from No 1601 to 2000 (both inclusive) has been lost or mislaid

Any person claiming title to the above document should intimate the undersigned within 30 days hereof, failing which a fresh certificate shall be issued in place of the one lost or mislaid (which shall then be treated as cancelled) in the favour of the above-named shareholder and the undersigned or any party concerned shall not be responsible for any subsequent claim to the title of the said certificate

A G PATEL, Secretary
Nyanza Consumers Ltd
P O Box 99, Kisumu

GENERAL NOTICE No 1910

THE TRANSPORT LICENSING ORDINANCE

(Cap 237)

AND

THE VEHICLES LICENSING REGULATIONS, 1938

THE undermentioned applications (omitted from the list published in General Notice No 1877 of the Official Gazette dated July 24, 1951) will be heard by the Transport Licensing Board sitting in the Kaderbhoy Hall, Mombasa at 9 am on Monday, 13th August, 1951

Objections must be lodged by 10th August, 1951

ROAD SERVICE LICENCES

TLB 264—Omar bin Athman, P O Kilifi Variation of route to read Mombasa-Rabai-Kaloleni-Chonyi-Mav-neni-Kilifi (A 5218) Present route to be deleted Mombasa-Kilifi-Lamu

10211—Haji Noormohamed Haji Elyas, P O Takaungu Conversion of "B" licence (A 6437) Route Takaungu Mombasa

"B" CARRIERS LICENCES

TLB 598/A—Express Transport Co., Ltd P O Box 39 Mombasa Route Kenya Colony with nil conditions (11 vehicles)

MS/B/8—Shariff Alwi bin Mohamed Bafaqih, P O Kilifi Route Mombasa District Kilifi District Malindi

GENERAL NOTICE No 1911

THE LIQUOR ORDINANCE

(Cap 266 Laws of Kenya)

COAST LIQUOR LICENSING COURT

SPECIAL MEETINGS

DULY authorized by the Provincial Commissioner Coast Province, Mombasa, the following applications will be considered at special meetings of the Coast Liquor Licensing Court to be held on Monday 3rd September 1951 at 10 am in the District Commissioner's Office Mombasa

Wholesale Licences

D G Pathak (a) Godown Plot No 420, Section V Old Kilindini Road, (b) Bonded Warehouse

General Retail Licence

Satyapal Chadha Rita Restaurant, Station Road, Mombasa

Mombasa,
24th July 1951

O E B HUGHES, Chairman
Coast Liquor Licensing Court

GENERAL NOTICE No 1912

THE FRAUDULENT TRANSFER OF BUSINESSES ORDINANCE

NOTICE is hereby given that the business of hardware and general merchants carried on by Suryakant Chhaganbhai Patel under the firm name and style of Overseas Stores (a) Plot No 2360/1, Race-course Road Nairobi, has been sold from the 18th day of July 1951, sold and transferred to Manubhai Somabhai Patel of Nairobi who will carry on the said business at the same place under the same firm name and style

The name and address of the transferor is Suryakant Chhaganbhai Patel, P O Box 1661, Nairobi

The name and address of the transferee is Manubhai Somabhai Patel, P O Box 240, Nairobi

All debts due to and owing by the transferor up to and including the 18th day of July, 1951, will be received and paid by the transferor. The transferee does not assume nor does he intend to assume any liability whatsoever incurred in the said business by the transferor

S C PATEL,
Transferor

Nairobi,
18th July, 1951

M S PATEL,
Transferee

GENERAL NOTICE No 1913

THE WATER ORDINANCE, 1929

Cool Springs Nakuru District

APPLICATION by E Pierce for a water right from Cool Springs on L R No 1157/7 for a net quantity of 3 300 gallons per day of normal flow for domestic use

Plans may be seen at the Public Works Department Head Office, Nairobi and at the office of the Water Bailiff, Public Works Department 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

E PIERCE, Applicant
Chakosa Farm
P O Box 514, Nakuru

GENERAL NOTICE No 1914

NOTICE is hereby given that Nand Singh Batan Singh Zandu and Partap Singh Labh Singh who had retired from the partnership business of The City Building Contractors on the 31st day of May 1951 have been readmitted in the said business of The City Building Contractors as from the 5th day of July, 1951

All debts (past and future) due to and owing by the said partnership business of The City Building Contractors will be received and paid by the present partners, Nand Singh Batan Singh Zandu, Partap Singh Labh Singh and Nirmal Singh Uttam Singh

Nairobi,
25th July, 1951

NIRMAL SINGH
Partner

GENERAL NOTICE No 1915

EAST AFRICAN CURRENCY BOARD

PAYMENT of the value of the following mutilated currency notes has been claimed by the persons named. Any other person wishing to submit a claim in respect of any of these notes should communicate at once with the Currency Officer, Nairobi —

No of note —W/9 77822, for Sh 5

Name and address of claimant —E A Railways and Harbours Nairobi

Nos of notes —B/56 70281 for Sh 5 V/7 62390 for Sh 10

Name and address of claimant —Thairu s/o Khera Nairobi

No of note —B/35 14133 for Sh 5

Name and address of claimant —Mr D G Gales Nairobi

Nos of notes —B/82 34502, C/30 52915, for Sh 5 each

Name and address of claimant —Thade s/o Gakuru, Nairobi

No of note —B/80 16069, for Sh 5

Name and address of claimant —Malanzo Ndewa, Nairobi

No of notes —B/11 56132 C/26 68467 for Sh 5 each

Name and address of claimant —The District Commissioner Meru

No of notes —C/22 29425, U/7 09363, for Sh 5 each

Name and address of claimant —Firozkhan Mahmud, Kendu Fay

No of note —C/56 04427, for Sh 5

Name and address of claimant —The District Commissioner, Meru

No of note —W/5 68313, for Sh 10

Name and address of claimant —Joran Gatibias, Nairobi

No of note —C/55 76543, for Sh 5

Name and address of claimant —Mr C C Patel Nairobi

No of note —V/1 47872, for Sh 10

Name and address of claimant —Barclays Bank (D C & O) Nairobi

Nos of notes —G/7 36332, F/3 61666, for Sh 20 each, 3/29 56153, for Sh 10

Name and address of claimant —The Standard Bank of South Africa, Ltd, Nairobi

Nos of notes —G/6 41318, for Sh 20, T/9 81024, for Sh 5

Name and address of claimant —The District Commissioner, Kitale

No of note —K/9 54323, for Sh 20

Name and address of claimant —The District Commissioner, Kitui

No of note —B/25 53207, for Sh 5

Name and address of claimant —The Standard Bank of South Africa Ltd, Nairobi

No of note —T/5 43956, for Sh 10

Name and address of claimant —The District Commissioner, Isiolo

No of note —Q/7 40229, for Sh 10

Name and address of claimant —Barclays Bank (D C & O), Nairobi

GENERAL NOTICE No 1916

THE TRADE MARKS ORDINANCE

(Cap 293)

APPLICATION No 4988



TAKE NOTICE that an application for the registration of the trade mark shown above in Class 38, in respect of articles of clothing viz shirts pyjamas, Hawaii shirts, etc, has been lodged by the firm trading as Man Wah Shirts Mfg Factory of 16 Battery Street, Kowloon, Hong Kong, whose address for service in the Colony is c/o Messrs S L Doshi & Co, of P O Box 111 Mombasa

The said trade mark will be registered after the expiration of 90 days from the date of this Gazette, provided no notice of opposition is received

Nairobi,
18th July, 1951

J F SPRY,
Registrar of Trade Marks

GENERAL NOTICE No 1917

THE TRADE MARKS ORDINANCE

(Cap 293)

APPLICATION No 5030



TAKE NOTICE that an application for the registration of the trade mark shown above in Class 39, in respect of paper (except paper hangings) stationery and bookbinding has been lodged by Britannia Paper Products Ltd, of P O Box 5197 Nairobi, Kenya manufacturers and merchants

The said trade mark will be registered after the expiration of 90 days from the date of this Gazette, provided no notice of opposition is received

Nairobi,
13th July 1951

J F SPRY,
Registrar of Trade Marks

GENERAL NOTICE No 1918

THE TRADE MARKS ORDINANCE

(Cap 293)

APPLICATION No 5042

CIRO

TAKE NOTICE that an application for the registration of the trade mark shown above in Class 14, in respect of rings, jewelled pins, ear-rings, studs, necklaces, tie-pins, brooches, bracelets and cuff links, all being articles of imitation jewellery, and imitation pearls and reconstructed gems, has been lodged by Ciro Pearls (Holdings), Limited of 178, Regent Street, London, W, England, whose address for service in the Colony is c/o Messrs Kaplan & Stratton, advocates, of P O Box 111, Nairobi

The said trade mark will be registered after the expiration of 90 days from the date of this Gazette provided no notice of opposition is received

Nairobi,
20th July, 1951

J F SPRY,
Registrar of Trade Marks

GENERAL NOTICE No 1919

THE TRADE MARKS ORDINANCE

(Cap 293)

APPLICATION No 5043

PYSIL

TAKE NOTICE that an application for the registration of the trade mark shown above in Class 2, in respect of insecticides, has been lodged by The Kenya Farmers Association (Co-operative) Ltd, merchants and agents, of P O Box 35, Nakuru

The said trade mark will be registered after the expiration of 90 days from the date of this Gazette, provided no notice of opposition is received

Nairobi,
20th July, 1951

J F SPRY,
Registrar of Trade Marks

GENERAL NOTICE No 1920

THE TRADE MARKS ORDINANCE

(Cap 293)

THE registration of the following trade marks has been renewed under the provisions of section 34 for the period of 14 years —

Trade Mark Number		Advertised in the Official Gazette	Name of Applicant	Class
Old	New			
—	2389	8-6-1937	The United Africa Co Ltd	38
—	2390	15-6-1937	Caltex (Africa) Limited	50
—	2391	17-8-1937	Ayrton, Saunders & Co Limited	3
—	2393	20-7-1937	J & P Coats Limited	23
—	2394	15-6-1937	Osram Gesellschaft mit Beschränkter Haftung Kommanditgesellschaft	13
—	2395	22-6-1937	Mohanlal Dhanji Vora & Co Ltd	38
—	2396	15-6-1937	Vacuum Oil Company of South Africa Limited	4
—	2397	15-6-1937	do	47
—	2398	15-6-1937	do	50
—	2400	5-10-1937	Rockwell Manufacturing Company	6
—	2401	10-8-1937	Godfrey Phillips Limited	45
—	2402	29-6-1937	General Motors Corporation	8
—	2403	29-6-1937	do	13
—	2405	24-8-1937	General Milk Sales, Inc	42
—	2406	10-8-1937	E Whiteaway & Company	38
43/23	964	18-7-1923	Austin Reed Limited	38

The following trade marks will be removed from the register under the provisions of rule 56 of the Trade Marks Rules unless renewal fees are paid within one month of the date of this advertisement —

—	2387	1-6-1937	Vacuum Oil Company of South Africa Limited	47
—	2388	1-6-1937	Hoima Cotton Co Ltd	42
—	2392	15-6-1937	I G Farbenindustrie Aktiengesellschaft	3
—	2399	22-6-1937	Daggett & Ramsdell	48
—	2404	29-6-1937	Phoenix Nahmaschinen Aktiengesellschaft Baer & Rempel	6
44/23	965	18-7-1923	The Centaur Company	3

Nairobi,
6th July 1951

J F SPRY,
Registrar of Trade Marks

GENERAL NOTICE No 1921

POWER OF ATTORNEY

IT IS notified for information that the power of attorney given by Babubhai Bhailalbai Bhojak to Rasiklal Atmaram Khamai of Nairobi in December, 1947 has been withdrawn from the date hereof and the said Rasiklal Atmaram Khamai has now no power to act for me under the virtue of the said power of attorney

Nanyuki,
20th July 1951

BABUBHAI BHAILALBHAI BHOJAK

GENERAL NOTICE No 1922

THE JUBILEE INSURANCE COMPANY, LIMITED

(INCORPORATED IN KENYA)

Policy No 8771 for Sh 2 000 on the life of Mr Bhimji Chatu Naran of Moshu Tanganyika

NOTICE having been given of the loss of the above policy, the duplicate policy will be issued unless objection is lodged at the office of the company within 30 days from this date

23rd May, 1951

M R HOSANGADY,
General Manager
P O Box 220, Mombasa

GENERAL NOTICE No 1923

VACANCIES IN GOVERNMENT DEPARTMENTS

(EUROPEANS)

*Accountant-Storekeeper African Information Services
Shorthand Writer Judicial Department*

APPLICATIONS are invited for the posts of —

- (i) *Accountant-Storekeeper African Information Services* (Salary scale £610 by £20 to £690 by £25 to £790 per annum with an Efficiency Bar at £715)
- (ii) *Shorthand Writer Judicial Department* (Salary scale £570 by £20 to £690 by £25 to £840 per annum with an Efficiency Bar at £670)

In addition to salary a temporary non pensionable cost of living allowance is paid on the following basis —

Twenty per cent on the first £300 per annum of salary

Ten per cent on the next £350 per annum of salary

Five per cent on the remainder of the officer's salary subject to a maximum allowance of £150

Applications should be sent to the Secretary, European Civil Service Advisory Board, P.O. Box 621 Nairobi, so as to reach him not later than the 18th August, 1951

Applicants in Government employ should submit their applications through the head of their department. Applications from candidates not in the Government service should be submitted on the form of application for appointment to the Government service copies of which can be obtained from the Secretary of the territory in which the applicant resides

The posts are permanent and pensionable and the general terms and conditions of service are as follows —

(a) For applicants not already in the Government service appointment on probation for two years before admission to the permanent and pensionable establishment

(b) Eighteen days local leave per annum and vacation leave at the rate of 4½ days for each completed month of residential service after 48 months tour for officers under 40 and at the rate of 5½ days for each completed month of residential service after 40 months' tour for officers over 40

(c) Free passages to the United Kingdom for the officer and for his wife, if he is married) after completion of a tour of service and return passages if returning for further service in the case of a married officer with dependent children under 21, passages for himself and his family are provided up to the cost of three adult passages or the actual cost of the passages whichever is the less

(d) When in occupation of Government quarters 10 per cent of salary is charged as rent if the quarters are furnished and 7½ per cent of salary if they are unfurnished when an officer occupies private quarters he may claim an allowance up to the amount by which the rent exceeds 10 per cent of his salary if the quarters are furnished, and up to the amount by which the rent exceeds 7½ per cent of his salary if they are unfurnished

(e) Free medical treatment by the Government Medical Service for the officer, his wife and unmarried children under 21

Duties and Qualifications(i) *Assistant Storekeeper African Information Services*—Applicants should possess at least four years' experience in accounting and storekeeping preferably with a Government department(ii) *Shorthand Writer Judicial Department*—The duties of the post consist of taking shorthand notes of trials in Court and dictation and notes in Chambers and transcription of same. The selected candidate will be required to type records and generally assist in typing work in the office

Applicants must be capable of taking dictation at not less than 140 words per minute and be able to transcribe with accuracy. Knowledge of Court procedure and legal terminology is essential. The successful applicant may be stationed at Nairobi or Mombasa and will accompany Judges on Circuit

Grade II Male Clerical Staff Department of Veterinary Services

APPLICATIONS are invited for three Grade II Male Clerical posts available at the Veterinary Laboratory Kabete

The salary scale attached to the posts is £295 by £20 to £407 10s (Efficiency Bar) by £22 10s to £565 per annum the point of entry in the scale will be assessed on age, previous experience and war service

A cost of living allowance is now payable at 20 per cent on the first £300 and 10 per cent on the next £350 of salary

The appointments entitle the holders to free medical attention by Government Medical Officers and overseas leave as laid down by regulations

Government quarters are not available

Applications should be addressed to the Director of Veterinary Services, Kabete, to arrive not later than 15th August 1951

GENERAL NOTICE No 1924

VACANCIES IN TANGANYIKA TERRITORY

Office Superintendents

APPLICATIONS are invited for vacancies which exist for Office Superintendents in various Government departments in Tanganyika. The posts are pensionable and carry a salary scale of £670 by £20 to £690 by £25 to £840. Appointment would be on probation for a period of two years in the first instance. Where quarters are provided salary will be subject to a rental deduction of 10 per cent. In addition to salary a temporary emergency allowance at the rate of 15 per cent of salary is payable at present.

Candidates must have a thorough knowledge of office management, including registration, filing and card index systems and be able to type and use a duplicating machine. Proved experience in the direction and supervision of subordinate staff and ability to organize all branches of office activity generally. Initiative, tact and drive are essential. Experience in a Government office and a thorough knowledge of General and Financial Regulations and procedure would be an added advantage. Candidates of not more than 35 years of age would be preferred.

Applications should be forwarded to the Secretary, Senior Service Advisory Board, the Secretariat, Dar es Salaam, to arrive not later than 15th August, 1951. Serving Government officials should apply through their heads of departments forwarding an up-to-date Personal Record Form (P/2). All other applicants should submit their applications in writing together with a completed application form (P/1) which can be obtained on request from the Secretariat of the territory in which they are residing. All applications should be accompanied by such forms duly completed in duplicate.

Storage Officer Grain Storage Department

APPLICATIONS are invited for a vacancy which exists for the post of Storage Officer in the Grain Storage Department, Tanganyika. The post, which is non-pensionable, carries a salary scale of £550 by £20 to £690 by £25 to £840 per annum. Normal overseas conditions of service with a rental deduction of 10 per cent of salary where quarters are provided. Compulsory contribution to the Government Employees' Provident Fund at the rate of one-twelfth of salary. Temporary emergency allowance at the rate of 15 per cent of salary payable at present.

The qualifications required are commercial and/or agricultural experience, a good knowledge of Swahili and ability to handle African labour. The duties entailed include supervision of grain buying, storage, distribution, etc.

Applications should be submitted to the Secretary, Senior Service Advisory Board, c/o the Secretariat, Dar es Salaam, to arrive not later than 22nd August, 1951. Serving Government officials should apply through their heads of departments forwarding an up-to-date Personal Record Form (P/2). All other applicants should submit their applications in writing together with a completed application form which can be obtained on request from the Secretariat of the territory in which they are residing. All applications should be accompanied by such forms duly completed in duplicate.

Overseer (Junior Service) in the Agricultural Department

A VACANCY for an Overseer (Junior Service) exists at the Maiuku Coffee Station in the Bukoba district of Tanganyika. Applications for the post, stating the age, should be submitted in the candidates' own handwriting, accompanied by original testimonials, to the Director of Agriculture, Dar es Salaam.

The minimum standard of education required is Standard X (Tanganyika), or its equivalent in other territories (e.g. Form VII Secondary, Nyasaland).

Appointment of the selected candidate will be subject to medical fitness.

Applicants should have had considerable experience on either an experimental station or on a private estate in a responsible position. The work at the Maruku Coffee Station will involve general supervision of perennial and annual crops, stock and experiments connected with them in the capacity of Farm Manager. Some knowledge of experimental technique would be an advantage. Salary will be assessed according to educational qualifications and experience. Quarters are provided on a deduction of 7½ per cent of salary.

GENERAL NOTICE No 1925

THE TRADE MARKS ORDINANCE

(Cap 293)

APPLICATION No 4884



TAKE NOTICE that an application for the registration of the trade mark shown above in Class 8 in respect of dry primary cells for use in flashlights radios and hearing aids and for other uses has been lodged by Union Carbide and Carbon Corporation a corporation of the State of New York, 30 East 42nd Street, New York New York United States of America, whose address for service in the Colony is c/o Messrs Atkinson Ainslie, Childs-Clarke & O'Donovan, advocates of P O Box 29, Mombasa

The said trade mark will be registered after the expiration of 90 days from the date of this Gazette, provided no notice of opposition is received

Registration of this trade mark shall give no right to the exclusive use of the numeral 9

Nairobi
25th July, 1951

J F SPRY,
Registrar of Trade Marks

GENERAL NOTICE No 1926

THE TRADE MARKS ORDINANCE

(Cap 293)

APPLICATION No 4973



TAKE NOTICE that an application for the registration of the trade mark shown above in Class 17, in respect of hydraulic binding agents, especially cements, has been lodged by Cimenteries et Briqueteries Reunies (en abreviation 'C B R'), Societe anonyme, of 3 Place du Petit Sablon, Brussels, Belgium, manufacturers whose address for service in the Colony is c/o Messrs Atkinson, Ainslie, Childs-Clarke & O'Donovan, advocates, of P O Box 29 Mombasa

The said trade mark will be registered after the expiration of 90 days from the date of this Gazette, provided no notice of opposition is received

Registration of this trade mark shall give no right to the exclusive use of the letter "M" or the letters "C B R"

Nairobi
27th July, 1951

J F SPRY
Registrar of Trade Marks

GENERAL NOTICE No 1927

THE TRADE MARKS ORDINANCE

(Cap 293)

APPLICATION No 4974



TAKE NOTICE that an application for the registration of the trade mark shown above in Class 17, in respect of hydraulic binding agents especially cements, has been lodged by Cimenteries et Briqueteries Reunies (en abreviation "C B R"), Societe anonyme, of 3 Place du Petit Sablon Brussels, Belgium manufacturers, whose address for service in the Colony is c/o Messrs Atkinson, Ainslie, Childs-Clarke & O'Donovan, advocates, of P O Box 29, Mombasa

The said trade mark will be registered after the expiration of 90 days from the date of this Gazette provided no notice of opposition is received

Registration of this trade mark shall give no right to the exclusive use of the letters "L X" or the letters "C B R"

Nairobi,
27th July, 1951

J F SPRY
Registrar of Trade Marks

GENERAL NOTICE No 1928

THE TRADE MARKS ORDINANCE

(Cap 293)

ALTERATION OF REGISTERED TRADE MARK

LEAVE has been given under section 39 of the Trade Marks Ordinance to The Shell Company of East Africa, Ltd, of St Helen's Court, Great St Helen's, London, E C 3, England oil merchants, the registered proprietors of the Trade Mark No 2096 in Class 47 (advertised in the Official Gazette of 7th November 1933) and whose address for service in the Colony is c/o Messrs Atkinson Ainslie, Childs-Clarke & O'Donovan advocates of P O Box 29, Mombasa to alter the trade mark

A representation of the mark as altered, is shown below —



No 2096

Nairobi,
26th July, 1951

J F SPRY,
Registrar of Trade Marks

5. There shall be substituted for section 10 of the principal Ordinance the following—

Repeal and replacement of section 10 of the principal Ordinance

10 (1) The Council shall keep—

Register and Roll

5 (a) A Register of nurses and midwives qualified to be registered under this Ordinance, and

(b) a Roll of nurses and midwives entitled to be enrolled under this Ordinance,

and the Registrar shall, upon application and payment of the prescribed fee by any person qualified to be registered or
10 entitled to be enrolled who has complied with such conditions as may be prescribed, enter the name of such person on the Register or Roll, as the case may be

(2) The Register and the Roll shall each be in such form and divided into such parts as may be prescribed and each
15 such part shall contain the names of nurses or midwives as the case may be, who are qualified or entitled to be registered or enrolled, as the case may be and who satisfy the prescribed conditions

(3) The qualifications which will entitle a nurse or mid-
20 wife to be registered or enrolled, and the conditions precedent to the entry in the Register or Roll of any nurse or midwife possessing such qualifications shall be prescribed by regulations made under section 17 of this Ordinance

6. There shall be substituted for section 11 of the
25 principal Ordinance the following—

Repeal and replacement of section 11 of the principal Ordinance

11 (1) Any person registered under this Ordinance may take and use the title "Registered Nurse" or "Registered Midwife", as may be appropriate

Use of title by registered and enrolled persons

(2) Any person enrolled under this Ordinance may take
30 and use any of the following titles that is to say, "Enrolled Nurse", "Assistant Enrolled Nurse, Grade I", "Assistant Enrolled Nurse, Grade II", "Enrolled Midwife", "Assistant Enrolled Midwife", as may be appropriate

7. Section 12 of the principal Ordinance is amended by
35 substituting for the words "as a nurse, midwife or assistant nurse" where they occur in sub-section (2) and sub-section (3) the words "as a nurse or midwife"

Amendment of section 12 of the principal Ordinance

8. Section 13 of the principal Ordinance is amended by
40 substituting for the words "duly registered" the words "duly registered or enrolled"

Amendment of section 13 of the principal Ordinance

9. Section 14 of the principal Ordinance is amended by inserting after the words "the Colony" the words "and whose qualifications entitles her to be registered in the United Kingdom"

Amendment of section 14 of the principal Ordinance

45 10. There shall be substituted for section 16 of the principal Ordinance the following—

Repeal and replacement of section 16 of the principal Ordinance

50 16 (1) The name of any person registered or enrolled under this Ordinance may, at the discretion of the Council and subject to the provisions of any regulations made under section 17 of this Ordinance, be removed from the Register or Roll, as the case may be

Removal from Register or Roll

55 (2) Any person aggrieved by the removal of her name from the Register or Roll may, within three months after the date on which notice is given to her by the Council that her name has been so removed, appeal to the Member whose decision shall be final

Amendment of
section 17 of
the principal
Ordinance

11. Section 17 of the principal Ordinance is amended by substituting for paragraphs (c) (d), (e) (g), (i), (j) and (l) the following—

- (c) the formation, maintenance and publication of the Register and of the Roll, 5
- (d) the manner in which application may be made for, and the conditions of, entry in the Register or Roll,
- (e) the conduct of any examination which may be prescribed as a condition of entry in the Register or Roll, and any matter ancillary to or connected with 10 any such examination,
- (g) the keeping of a register of student nurses and student midwives,
- (i) the fees payable to the Council in respect of entry or re-entry in the Register or Roll, for examinations, 15 and for the issue of certificates,
- (j) uniforms, badges and other distinguishing devices to be worn by nurses and midwives registered or enrolled under this Ordinance,
- (l) the causes for which, the conditions under which, and 20 the manner in which, the name of any nurse or midwife may be removed from the Register or Roll, and the procedure for restoration to the Register or Roll of the name of any nurse or midwife so removed, and

MEMORANDUM OF OBJECTS AND REASONS

It has been represented by the Nurses and Midwives Council that the Nurses and Midwives Registration Ordinance, 1949, hereinafter referred to as the principal Ordinance, is defective in certain respects, and this Bill will make amendments designed to remedy these defects

Although the Ordinance refers to persons being registered or enrolled, section 10 only provides for a Register to be kept, and there is, therefore, no provision for the enrolment of nurses. To remedy this, section 10 has been redrafted and will contain provision for a separate Register and Roll and will empower the qualifications for registration and enrolment to be prescribed (*Clause 5*)

Clause 2 will add certain definitions to section 2 of the principal Ordinance which are consequential upon the amendment of section 10

Clause 3 will change the title of the Council from the Nursing and Midwives Council of Kenya to the Nurses and Midwives Council of Kenya

Clause 4 will amend section 4 of the principal Ordinance in order to alter the membership of the Council by providing for the appointment of a person to represent the European community in lieu of a person appointed by the European Hospital Authority which will shortly no longer be in existence, and to provide for the appointment by the Member of two persons to represent the Missionary Societies, at present the Ordinance provides for the appointment by the Missionary Societies of one person. The clause also makes certain minor formal amendments to sub-section (1) of the section

Clause 6 amends section 11 of the principal Ordinance by providing different titles which registered nurses and midwives respectively shall be entitled to use

Clauses 7 and 8 amend sections 12 and 13 respectively in minor consequential respects

Clause 9 amends section 14 so as to ensure that a person shall not be entitled to be registered by virtue of a Dominion qualification unless that qualification entitles to registration in the United Kingdom

Clause 10 amends section 16 so as to provide for removal from the Roll as well as the Register and to make it clear that the discretion of the Council must be exercised subject to the provisions of regulations made under paragraph (l) of section 17

Clause 11 makes certain minor consequential amendments to section 17

It is not expected that there will be any additional expenditure of public moneys if the provisions of this Bill become law

Nairobi,
9th June, 1951

JOHN WHYATT,
Acting Attorney General

GOVERNMENT NOTICE No 883

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

T V N FORTESCUE,
Acting Clerk to the Legislative Council

**A BILL ENTITLED
AN ORDINANCE TO AMEND THE CRIMINAL
PROCEDURE CODE**

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 Criminal Procedure Code (Amendment No 2) Ordinance, 1951, and shall be read and construed as one with the Criminal Procedure Code, hereinafter referred to as the principal Ordinance Short title
Cap 27
- 5 2. Section 2 of the principal Ordinance is amended by substituting for the definition of "public prosecutor" the following— Amendment of
section 2 of
the principal
Ordinance

"public prosecutor" means the Attorney General, the Solicitor General, the Deputy Public Prosecutor, a

10 Crown Counsel, any person appointed under section 85 of this Code, or any person acting under the directions of the Attorney General,
- 15 3. Section 83 of the principal Ordinance is amended by substituting for the words "Solicitor General or a Crown Counsel" wherever they occur the words "Solicitor General, Deputy Public Prosecutor or a Crown Counsel" Amendment of
section 83 of
the principal
Ordinance
- 20 4. There shall be inserted next after section 217 of the principal Ordinance the following new section— Insertion of new
section 217A in
the principal
Ordinance

217A (1) Where any person, being not less than sixteen years of age, is tried by a subordinate court of the first or second class for an offence which is punishable either by that court or by the Supreme Court and such person is convicted by the subordinate court of that offence, then if, on obtaining information as to his

25 character and antecedents the subordinate court is of opinion that they are such that greater punishment should be inflicted in respect of the offence than the subordinate court has power to inflict, the subordinate court may, in lieu of dealing with him in any manner in which the subordinate court has power to deal with him, commit

30 him in custody to the Supreme Court for sentence in accordance with the following provisions of this section

(2) Where the offender is so committed for sentence as aforesaid the following provisions shall have effect, that is to say—

35 (a) the Supreme Court shall inquire into the circumstances of the case, and shall have power to deal with the offender in any manner in which he could be dealt with if he had been convicted by the Supreme Court, and

40 (b) if the Supreme Court passes a sentence which the subordinate court would not have had power to pass, the offender may appeal against the sentence to the Court of Appeal for Eastern Africa as if he had been convicted by the Supreme Court, but, save as aforesaid, the offender shall have the same right of appeal in all respects as if he had been convicted and sentenced by the subordinate court

45

Committal by
subordinate
court to
Supreme Court
for sentence

Amendment of
the First
Schedule to
the principal
Ordinance

5. The First Schedule to the principal Ordinance is amended by inserting in the appropriate numerical position the following—

40 (2)

Failing to produce a certificate of competency for endorsement	Shall not arrest without warrant	Fine of six hundred shillings or imprisonment for six months	Any magistrate
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40 (5) (a)

Applying for or obtaining a certificate of competency while disqualified	Shall not arrest without warrant	Fine of two thousand shillings or imprisonment for six months or both	Subordinate court of the first or second class
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40 (5) (b)

Applying for or obtaining a certificate of competency without disclosing particulars of endorsement	Shall not arrest without warrant	Fine of two thousand shillings or imprisonment for six months or both	Subordinate court of the first or second class
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MEMORANDUM OF OBJECTS AND REASONS

This Bill will amend the Criminal Procedure Code (hereinafter referred to as the principal Ordinance) in three respects

The creation of the post of Deputy Public Prosecutor has made it desirable to amend the definition of 'public prosecutor' in section 2 of the principal Ordinance so as to include within its meaning that officer and so confer upon him the same powers under the law as a Crown Counsel *Clause 2* of the Bill will provide for this

For the same reason it has been necessary to amend section 83 of the principal Ordinance so as to enable the Attorney General to delegate to the Deputy Public Prosecutor the powers which under the section he is at present empowered to delegate to the Solicitor General and Crown Counsel (*Clause 3*)

Clause 4 will amend the principal Ordinance so as to enable a subordinate court of the first or second class which has tried and convicted a person over the age of sixteen years to commit him to the Supreme Court for sentence if upon inquiry into accused's antecedents the court considers that the punishment which it is empowered to inflict is inadequate

Unless specific provision is made in the First Schedule to the principal Ordinance for the trial and punishment by a subordinate court of offences under the Penal Code, such offences can only be tried and punished by the Supreme Court. In a Bill to amend the Penal Code which will be introduced at the same time as this Bill certain offences in connexion with certificates of competency have been made punishable under section 40 of that Code *Clause 5* will accordingly amend the First Schedule to make provision for the trial and punishment of these offences by subordinate courts

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

Nairobi,
4th July, 1951

JOHN WHYATT,
Acting Attorney General

GOVERNMENT NOTICE NO 884

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

T V N FORTESCUE,
Acting Clerk to the Legislative Council

ARRANGEMENT OF SECTIONS

SECTION	SECTION
1—Short title and commencement	14—Persons registered or licensed entitled to practise and sue for fees
2—Interpretation	15—Professional charges not recoverable by unregistered or unlicensed person
3—Prohibition of practice of veterinary surgery by unregistered or unlicensed persons	16—Certificates to be signed by duly registered or licensed veterinary surgeon
4—Qualifications entitling person to be registered	17—Certain veterinary officers to be registered free of charge
5—Establishment and constitution of Veterinary Board	18—Offences
6—Meetings and procedure of the Board	19—Power to strike off register or cancel licence of veterinary surgeon
7—Registrar and register	20—Effect of removal, cancellation or suspension
8—Application for registration	21—Rules
9—Certificate of registration	22—Attorney General's fiat
10—Correction of register	23—Exemption from restrictions on practice of veterinary surgeon
11—Publication of register	
12—Licensed veterinary surgeons	
13—Use of title	

SCHEDULE

A BILL ENTITLED
AN ORDINANCE TO MAKE PROVISION FOR THE
REGISTRATION OF VETERINARY SURGEONS
AND FOR OTHER MATTERS INCIDENTAL TO
AND CONNECTED WITH THE PRACTICE OF
VETERINARY SURGERY.

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 Veterinary Surgeons Ordinance, 1951, and shall come into operation on such date as the Governor may, by notice in the Gazette, appoint

Short title and commencement

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

Interpretation

“the Board” means the Veterinary Board established under section 5 of this Ordinance,

“licence” means a licence to practise veterinary surgery granted under section 12 of this Ordinance,

“licensed veterinary surgeon” means any person licensed under section 12 of this Ordinance to practise veterinary surgery,

“the register” means the register kept by the Registrar in accordance with the provisions of this Ordinance

“the Registrar” means the Veterinary Registrar appointed under section 7 of this Ordinance,

“registered veterinary surgeon” means a person whose name appears for the time being in the register

(2) For the purposes of this Ordinance the practice of veterinary surgery shall be deemed to include the performance of any such operation and the giving of any such treatment, advice, diagnosis or attendance as is usually performed or given by veterinary surgeons

(3) From and after the commencement of this Ordinance the words “legally qualified veterinary surgeon” or “duly qualified veterinary surgeon” or any words importing a person recognized by law as a veterinary surgeon or member of the veterinary profession, when used in any enactment with

reference to such person, shall be construed to mean a person registered or licensed under this Ordinance

Prohibition
of practice of
veterinary
surgery by
unregistered
or unlicensed
persons

3. No person shall, unless he is registered or licensed under this Ordinance, practise, or hold himself out, whether directly or by implication, as practising or being prepared to practise, veterinary surgery 5

Qualifications
entitling person
to be registered

4. No person shall be qualified to be registered under this Ordinance unless—

(a) he is the holder of a veterinary degree or diploma recognized by the Royal College of Veterinary Surgeons (London), or 10

(b) he is the holder of a degree or diploma of a veterinary college or university in Australia, Canada or the Union of South Africa and he holds a certificate or other document entitling him to practise as a veterinary surgeon in the country in which such college or university is situated 15

Establishment
and constitution
of Veterinary
Board

5. (1) There is hereby established a Veterinary Board which shall consist of— 20

(a) the Director of Veterinary Services, who shall *ex officio* be a member and Chairman of the Board,

(b) the Dean of the Makerere Veterinary School or his nominee, being a registered veterinary surgeon,

(c) four registered veterinary surgeons to be appointed by the Member after being duly elected for appointment by the Kenya Veterinary Medical Association in the manner prescribed by rules made by the Member, 25

(d) a person appointed by the Member 30

(2) The Member shall make rules prescribing the procedure to be followed for the election of the members to be appointed under paragraph (c) of sub-section (1) of this section,

(3) The members of the Board appointed under paragraphs (c) and (d) of sub-section (1) of this section shall hold office for three years but shall be eligible for reappointment 35

(4) The Member may, on the recommendation of the Board, appoint a registered veterinary surgeon to act temporarily in the place of any member of the Board, other than the Chairman, in the case of the death, resignation, absence from the Colony or inability to act of such member 40

(5) Any member of the Board, other than the Chairman, may at any time resign his office by instrument in writing addressed to the Chairman, who shall forthwith cause it to be forwarded to the Member, and from the date of the receipt by the Chairman of such instrument such member shall cease to be a member of the Board 45

(6) The appointment and resignation of members of the Board shall be notified for general information in the Gazette 50

Meetings and
procedure of
the Board

6. (1) The Board shall meet at such times as may be necessary or expedient for the transaction of its business and such meetings shall be held at such places and times and on such days as the Board may determine

(2) The Chairman shall preside at all meetings of the Board at which he is present, and in the case of his temporary absence the members present and constituting a quorum shall elect a Chairman for that meeting from their number 55

(3) A quorum of the Board shall be five

(4) The decisions of the Board shall be by a majority of votes and the Chairman of the meeting shall have an original and a casting vote

5 (5) Minutes of each meeting in proper form shall be kept and shall be confirmed by the Chairman as soon as practicable thereafter at a subsequent meeting of the Board

(6) The powers of the Board shall not be affected by any vacancy in the membership thereof, nor by the fact that it is
10 afterwards discovered that there was some defect in the appointment or qualifications of a person purporting to be a member of the Board

7. (1) The Director of Veterinary Services shall be the
Veterinary Registrar and he shall perform such duties in
15 connexion with the register as may be prescribed in this Ordinance or in any rules made under this Ordinance

Registrar and
register

(2) The Registrar shall keep a veterinary register in the prescribed form

8. (1) Any person entitled to be registered under this
20 Ordinance may apply to the Registrar for registration. Every such application shall be made in the prescribed manner and form and shall be accompanied by—

Application for
registration

(a) the prescribed fee,

(b) the original degree or diploma which the applicant
25 claims entitles him to be registered, and

(c) an affidavit setting forth the full name and address
of the applicant, that the degree or diploma sub-
mitted is authentic and is then valid, and that the
applicant is lawfully entitled to practise veterinary
30 surgery in the country in which the degree or diploma was obtained

(2) Where any person has complied with the provisions of sub-section (1) of this section and with any rules relating thereto, he shall be registered in the register

35 9. The Registrar shall issue to every person registered under this Ordinance a certificate of registration in the prescribed form

Certificate of
registration

10. (1) The Registrar shall from time to time make any
necessary alteration or correction in the register in relation to
40 any entry therein

Correction of
register

(2) The Registrar shall remove from the register the name of every deceased person, and shall also remove therefrom any entry which has been in orrectly or fraudulently made in the register

45 (3) (a) The Registrar, with the consent of the person concerned, may remove from the register the name of a person who has ceased to practise

(b) The Registrar may send by registered post to any person registered in the register a notice inquiring whether
50 or not such person has ceased to practise or has changed his residence, and if no answer is returned to the inquiry within six months from the posting thereof, the name of that person may be removed from the register

(c) Any name removed under this sub-section shall, at
55 the request of the person concerned, be reinstated by the Registrar

(4) The Registrar General of Births and Deaths shall notify the Registrar of the death of any registered veterinary surgeon

Publication of
register

11. (1) The Registrar shall publish in the Gazette, at such times as may be prescribed, a copy of the register 5

(2) The production at any time of the issue of the Gazette in which such copy was last published shall be prima facie evidence—

(a) that any person whose name appears therein is registered under this Ordinance, 10

(b) that any person whose name does not appear therein is not registered under this Ordinance

Licensed
veterinary
surgeons

12. (1) Whenever the Board is satisfied that it is in the public interest that—

(a) any person in the service of the Government or of the High Commission or of the Makerere Veterinary School as a veterinary officer or assistant veterinary officer, or 15

(b) any person who has retired from the service of the Government or of the High Commission or of the Makerere Veterinary School after having performed meritorious service therein as a veterinary officer or assistant veterinary officer, 20

who is not entitled to be registered under this Ordinance, should be granted the rights, privileges and obligations of a person registered under this Ordinance, the Board may grant to such person a licence to practise as a veterinary surgeon 25

(2) Whenever the Board is satisfied that at any place or in any district or area of the Colony there is not available a sufficient number of registered veterinary surgeons or persons licensed under sub-section (1) of this section to meet the veterinary needs of any such place, district or area, the Board may grant to any person who holds any veterinary degree or diploma, other than a degree or diploma such as would entitle him to be registered under this Ordinance, a licence to practise as a veterinary surgeon in any place district or area specified in the licence 30 35

Provided that a licence under this sub-section shall not be granted to any person unless the Board is satisfied that the degree or diploma which he holds would entitle him to practise as a veterinary surgeon in the country in which the degree or diploma was obtained 40

(3) A licence granted under sub-section (1) or sub-section (2) of this section shall be in the prescribed form and shall be granted subject to such conditions and for such period as the Board thinks fit and the Board may, subject to the provisions of section 19 of this Ordinance cancel any such licence 45

(4) A licence granted to any person mentioned in paragraph (a) of sub-section (1) of this section shall expire on the date upon which the person to whom it is granted ceases to hold office as a veterinary officer or assistant veterinary officer notwithstanding that the period for which it was granted may not have expired 50

(5) The Board shall cause notification of the grant, expiry and cancellation of licences to be published for general information in the Gazette 55

- 13.** A person registered or licensed under this Ordinance— Use of title
- (a) shall, by virtue of being so registered or licensed, be entitled to take and use the title and description of veterinary surgeon 5
- (b) shall not take or use, or affix to or use in connexion with his premises, any title or description other than that of veterinary surgeon or veterinary practitioner unless he possesses a professional status or qualification, indicated by particulars entered in the register in respect of him, entitling him to take or use such additional or other title or description 10
- 14.** Every registered veterinary surgeon and every licensed veterinary surgeon shall be entitled to practise veterinary surgery and to demand, sue for and recover in any court of competent jurisdiction reasonable charges for professional aid, advice and visits, and the value of any medicine or veterinary appliance supplied by him Persons registered or licensed, entitled to practise and sue for fees
- 15.** No person shall, after the commencement of this Ordinance, be entitled to recover in any court any charge for professional aid, advice or visit or the value of any medicine or appliance supplied unless he was at the time when such aid, advice or visit was given or such medicine or appliance was supplied duly registered or licensed under this Ordinance, so, however, that any person registered or licensed within two months after the commencement of this Ordinance shall for the purposes of this section be deemed to have been so registered or licensed from the date of such commencement Professional charges not recoverable by unregistered or unlicensed person
- 16.** No certificate or other document, required to be signed by a duly qualified veterinary surgeon, which is given after the commencement of this Ordinance shall be valid unless signed by a person registered or licensed under this Ordinance as a veterinary surgeon Certificates to be signed by duly registered or licensed veterinary surgeon
- 17.** Every veterinary officer in the service of the Government or of the High Commission who is entitled to be registered under this Ordinance shall, upon making application to the Board in the usual form, be registered without payment of the prescribed fee Certain veterinary officers to be registered free of charge
- 18.** Any person who— Offences
- (a) fraudulently makes, or causes or permits to be made, any false or incorrect entry in the register or any copy thereof or
- (b) fraudulently procures or attempts to procure himself or any other person to be registered or to be granted a licence under this Ordinance, or 45
- (c) not being a registered or licensed veterinary surgeon, falsely pretends to be such, or falsely takes or uses any title or description implying, whether in itself or in the circumstances in which it is taken or used, that such person is a veterinary surgeon or is qualified to practise veterinary surgery, or 50
- (d) being a registered or licensed veterinary surgeon, allows an unregistered or unlicensed person to practise veterinary surgery on, or from an office in the premises used by such registered or licensed veterinary surgeon in the performance of his professional duties, or 55
- (e) contravenes the provisions of section 3 of this Ordinance or

(f) contravenes any of the provisions of section 13 of this Ordinance,

shall be guilty of an offence against this Ordinance and shall be liable on conviction by a subordinate court of the first class to a fine not exceeding three thousand shillings or to imprisonment for a period not exceeding six months

Power to strike off register or cancel licence of veterinary surgeon

19. (1) If any registered or licensed veterinary surgeon is convicted of any felony or of any misdemeanour or of any offence against this Ordinance or is after inquiry by the Board found to have been guilty of any infamous or disgraceful conduct in a professional respect, the Board may in the case of a registered veterinary surgeon direct the Registrar to remove the name of such person from the register and in the case of a licensed veterinary surgeon may itself cancel the licence granted to such person

(2) Upon any inquiry held by the Board under sub-section (1) of this section the person whose conduct is being inquired into shall be afforded an opportunity of being heard, either in person or by an advocate

(3) For the purpose of proceedings at any inquiry held by the Board, the Board may administer oaths and may, subject to the provisions of any rules made under section 21 of this Ordinance, enforce the attendance of persons as witnesses and the production of books and documents

(4) Subject to the foregoing provisions of this section and to the provisions of any rules as to procedure made by the Member under section 21 of this Ordinance the Board shall have power to regulate its own procedure

(5) The power to order removal of the name of a person from the register or to cancel the licence of any person shall include a power exercisable in the like manner to direct that during such period as may be specified in the order the registration of his name in the register or the licence granted to him shall not have effect

(6) Any person aggrieved by the decision of the Board may appeal to the Supreme Court, and in any such appeal the Supreme Court may give such directions in the matter as it thinks proper and any order of the Court under this sub-section shall be final

(7) The provisions of this section in so far as they relate to the cancellation of licences shall be in addition to and not in derogation of the provisions of section 12 of this Ordinance

(8) Any person who fails when summoned by the Board to attend as a witness or to produce any books or documents which he is required to produce shall be guilty of an offence against this Ordinance and shall be liable to a fine of two hundred shillings or to imprisonment for one month

Effect of removal cancellation or suspension

20. (1) Where the name of any person has been removed from the register, the name of that person shall not, subject to the provisions of this Ordinance, be again entered in the register except by order of the Board

(2) Where an order has been made for the removal of a person's name from the register, or for suspending the effect of a person's registration under the Ordinance, or for cancelling or suspending a licence granted to a person under the Ordinance, the Board may either of its own motion or on the application of the person concerned, and in either case after holding such inquiry as the Board thinks fit, cause

the name of that person to be restored to the register or terminate the suspension of the registration, or, as the case may be, grant a new licence or terminate the suspension of the existing licence, in any such case either without fee or,
 5 on payment of such fee not exceeding the registration or licence fee, as the Board may determine

(3) Sub-section (1) of this section shall not apply when a person's name has been removed from the register at his request or with his consent in circumstances in which it could
 10 not have been removed without his consent, and the name of such person shall on his application be restored to the register on payment of such fee, not exceeding the registration fee, as the Board may from time to time determine

21. The Member may make rule generally for better
 15 carrying out the provisions of this Ordinance and any such rules may, without prejudice to the generality of the foregoing power—

- (a) prescribe anything required by this Ordinance to be prescribed,
- 20 (b) provide for the procedure to be followed by the Board in any inquiry under section 19 of this Ordinance,
- (c) provide for enforcing the attendance of witnesses and the production of books and documents at any in-
 25 quiry held by the Board

22. A prosecution for an offence against this Ordinance shall not be instituted without the sanction of the Attorney
 General's fiat

23. Notwithstanding anything to the contrary in this
 30 Ordinance, the practice of veterinary surgery shall not include—

- (a) the doing of anything specified in Part I of the Schedule to this Ordinance and not excluded by Part II of that Schedule,
- 35 (b) any minor treatment, test or operation specified by order of the Member made under this paragraph after consultation with the Council of the Royal College of Veterinary Surgeons, so long as any conditions specified in the order are complied with

SCHEDULE

(Section 23)

EXEMPTIONS FROM RESTRICTIONS ON PRACTICE OF VETERINARY SURGERY

PART I—TREATMENT AND OPERATIONS WHICH MAY BE GIVEN OR CARRIED OUT BY UNQUALIFIED PERSONS

Any treatment given to an animal by the owner thereof, by another member of a household of which the owner is a member, or by a person in the employment of the owner or of any other member of such household

Anything done, otherwise than for reward, by a person engaged or employed in farming to an animal owned (whether by himself or another person) for the purposes of agriculture

The rendering in an emergency of first aid for the purpose of saving life or relieving pain

The destruction of any animal by painless methods

The performance of any of the following operations, that is to say—

- (a) castration or caponizing,
- (b) the spaying of a pig not over the age of three months,
- (c) the tailing of a lamb,
- (d) the docking of the tail of a dog before its eyes are open,

Rules

Attorney
General's fiat

Exemption from
restrictions on
practice of
veterinary
surgery

(e) the amputation of the dew claws of a dog before its eyes are open

Provided that, without prejudice to the foregoing paragraphs of this Part of this Schedule, nothing in sub-paragraphs (a) to (e) of this paragraph shall authorize the performance of any operation by a person under the age of eighteen

PART II—EXCLUSIONS FROM PROVISIONS OF PART I

Nothing in paragraph (a) of section 23 of this Ordinance shall authorize the castration of any animal mentioned in the following Table after it has reached the age shown therein

Table

Horse, pony, ass or mule	2 years
Goat	15 months
Ram	15 months
Boar	9 months
Cat	6 months
Dog	6 months

MEMORANDUM OF OBJECTS AND REASONS

It is considered that the time has come when there should be statutory provision for regulating the registration and practice of veterinary surgery and this Bill will accordingly make the necessary provision

The Bill prohibits the practice of veterinary surgery by un-registered or unlicensed veterinary surgeons, (*clause 3*), prescribes the qualifications necessary for registration, (*clause 4*), and provides for the grant of licences to practise veterinary surgery to certain persons not possessing those qualifications, (*clause 12*)

Clause 5 establishes a Veterinary Board consisting of the Director of Veterinary Services as Chairman, the Dean of the Makerere Veterinary School or his nominee, four elected registered veterinary surgeons and one person appointed by the Member *Clause 6* deals with the meetings and procedure of the Board

Clause 7 appoints the Director of Veterinary Services as Veterinary Registrar and provides for the keeping by him of a register, and *clauses 8* and *9* provide for the making of applications for registration and the issue of a certificate of registration

Clause 10 contains provisions for making corrections in the register, and *clause 11* provides for the publication in the Gazette of a copy of the register at such times as may be prescribed

Clause 12, as has already been indicated, provides for the class of persons to whom and the circumstances in which a licence to practise veterinary surgery may be granted Sub-clause (1) enables a licence to be granted to a Government, High Commission or Makerere Veterinary School veterinary officer or assistant veterinary officer not qualified for registration, either while he is serving or when he has retired after having performed meritorious service as such Sub-clause (2) enables a licence to be granted to any person possessing any veterinary degree or diploma other than one entitling to registration under the Ordinance, if in any place, district or area the Board considers that there are not a sufficient number of registered veterinary surgeons or persons licensed under sub-clause (1) to meet the veterinary needs of that place, district or area The proviso to this clause prohibits the grant of a licence to such a person unless the degree or diploma would entitle him to practise veterinary surgery in the country in which it was obtained

Clause 13 provides that a person registered or licensed under the Ordinance shall be entitled to take and use the title of veterinary surgeon but shall not take or use any other title unless he possesses a qualification or status, evidenced by particulars entered in the register, enabling him to do so

Clauses 14 and *15* provide respectively that registered or licensed veterinary surgeons may sue for professional charges and that un-registered or unlicensed veterinary surgeons may not

Clause 16 provides that certificates required to be signed by a duly qualified veterinary surgeon shall be valid only if signed by a person registered or licensed under the Ordinance

Clause 17 provides for the free registration of veterinary officers of the Government and High Commission whose qualifications entitle them to be registered

Clause 18 creates, and provides for the punishment for, offences against the Ordinance

Clause 19 deals with the powers of the Board to order the removal of the name of a registered veterinary surgeon from the register and to cancel the licence of a licensed veterinary surgeon. The clause contains provisions relating to the procedure to be followed by the Board in holding an inquiry into the misconduct of a registered or licensed veterinary surgeon.

Clause 20 contains provisions as to the effect of the removal of a person's name from the register, the effect of the suspension of registration and the cancellation and suspension of a licence.

Clause 21 enables the Member to make rules for carrying out the provisions of the Ordinance.

Clause 22 provides that no prosecution for an offence against the Ordinance shall be instituted without the sanction of the Attorney General.

Clause 23 exempts out of the practice of veterinary surgery the doing of the things specified in Part I of the Schedule subject to the restrictions in Part II of the Schedule and also enables the Member by order, after consultation with the Council of the Royal College of Veterinary Surgeons, to exempt any minor treatment, test or operation specified in the order.

It is not expected that any additional expenditure of public moneys will be incurred if the provisions of this Bill become law.

Nairobi,
6th June, 1951

JOHN WHYATT,
Acting Attorney General

GOVERNMENT NOTICE No 885

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

T V N FORTESCUE,
Acting Clerk to the Legislative Council

**A BILL ENTITLED
AN ORDINANCE TO AMEND THE PENAL CODE**

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

Short title

Cap 24

1. This Ordinance may be cited as the Penal Code (Amendment) Ordinance, 1951, and shall be read and construed as one with the Penal Code, hereinafter referred to as the principal Ordinance

Amendment of
section 2 of
the principal
Ordinance

No 79 of 1948

Cap 76

No 10 of 1929

2. Section 2 of the principal Ordinance is amended by inserting next after the definition of "person employed in the public service" the following new definition—

"police force" includes the Kenya Police Force, established under the Police Ordinance, 1948, the Kenya Police Reserve established under the Kenya Police Reserve Ordinance and the tribal police established under the Tribal Police Ordinance, 1929, and "police officer" shall be construed accordingly

Amendment of
section 5 of
the principal
Ordinance

3. Section 5 of the principal Ordinance is amended by inserting in the definition of "money" the words "currency notes," immediately after the words "bank notes."

Amendment of
section 36 of
the principal
Ordinance

4 Section 36 of the principal Ordinance is amended by adding thereto the following new sub-section—

(3) Where any charge is dismissed under this section the court may order the accused person to pay the whole, or any part of the costs of and incidental to the prosecution

Repeal and
replacement of
section 40 of
the principal
Ordinance

Certificate of
competency
may be
cancelled or
suspended in
certain cases

5. There shall be substituted for section 40 of the principal Ordinance the following section—

40 (1) Where any person has been convicted under this Code of an offence connected with the driving of any vehicle in respect of which a certificate of competency is required the court before which such person is convicted, may in addition to or in substitution for any other punishment—

(a) if the person convicted holds a certificate of competency, suspend the certificate for such time as the court thinks fit, or cancel the certificate and declare the person convicted disqualified from obtaining another certificate either permanently or for a stated period and shall cause particulars of the conviction and of any order of the court made under this section to be endorsed upon the certificate and shall also cause a copy of these particulars and of the order to be sent to the Commissioner of Police, who shall endorse them on the duplicate certificate in his custody, or

(b) if the person convicted does not hold a certificate of competency, declare him disqualified from

obtaining such a certificate for such time as the court thinks fit

(2) Any person so convicted as aforesaid shall, if he holds a certificate of competency, produce such certificate within such reasonable time as the court may direct, for the purpose of the making of the endorsement referred to in sub-section (1) of this section and any such person who fails so to produce such certificate shall be guilty of a misdemeanour and be liable to a fine not exceeding six hundred shillings or to imprisonment for any term not exceeding six months

(3) A certificate of competency which has been suspended by the court under this section shall, during the term of such suspension, be of no effect, and a person whose certificate is suspended or who is declared by the court to be disqualified from obtaining a certificate of competency shall, during the period of such suspension or disqualification as the case may be, be disqualified from obtaining such a certificate

(4) Any person who is, by virtue of an order of the court under this section disqualified from obtaining a certificate of competency may within fourteen days of the making of such order, appeal against the order to the Supreme Court, and the court by which the order was made may, if it thinks fit, direct that the operation of the order be suspended pending the appeal

(5) Any person—

(a) who, while disqualified by an order of a court under this section from obtaining a certificate of competency, applies for or obtains such a certificate while so disqualified, or

(b) whose certificate of competency has been endorsed pursuant to this section applies for or obtains another such certificate without disclosing the particulars of the endorsement,

shall be liable to a fine not exceeding two thousand shillings or to imprisonment for a period not exceeding six months or to both such fine and imprisonment

6. Section 77 of the principal Ordinance is amended by deleting therefrom the words “witho it hard labour”

Amendment of section 77 of the principal Ordinance

7. There shall be substituted for section 149 of the principal Ordinance the following section—

Repeal and replacement of section 149 of the principal Ordinance
Brothels

149 Any person who—

(a) keeps or manages or assists in the management of a brothel, or

(b) being the tenant, lessee or occupier, or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel, or

(c) being the lessor or landlord of any premises, or the agent of such lessor or landlord, lets the same or any part thereof with the knowledge that such premises or some part thereof are or is to be used as a brothel, or is wilfully a party to the continued use of such premises as a brothel,

is guilty of a misdemeanour

8. Section 159 of the principal Ordinance is repealed

Repeal of section 159 of the principal Ordinance.

Amendment of
section 174 of
the principal
Ordinance

9. Section 174 of the principal Ordinance is amended by substituting for the words "the Commissioner of Police or by a police officer not below the rank of Assistant Superintendent to whom power has been delegated by the Commissioner of Police to give such authority" which occur in sub-section (1) the words "the Member for Law and Order or any other person to whom power to give such authority has been delegated by the Member for Law and Order" 5

Amendment of
section 179 of
the principal
Ordinance

10. Section 179 of the principal Ordinance is amended by deleting from paragraph (4) thereof the word "wandering" 10

Amendment of
section 180 of
the principal
Ordinance

11. Section 180 of the principal Ordinance is amended in the following respects—

(a) by substituting for the words "wears without the permission of the Governor" where they occur in sub-section (1) the words "wears without the permission of the Governor or without other lawful authority", 15

(b) by substituting for the words "any such uniform as aforesaid" where they occur in sub-section (3) the words "any such uniform or dress as is mentioned in this section", 20

(c) by substituting a colon for the full stop at the end of sub-section (3) and by adding thereto the following proviso—

Provided that nothing in this sub-section shall be deemed to prohibit the importation of any such uniform or dress by any person who, having served in His Majesty's naval, military or air forces, is lawfully in possession thereof 25

Amendment of
section 298 of
the principal
Ordinance

12. Section 298 of the principal Ordinance is amended by substituting for the words "any chimney or other aperture of the building permanently left open for any necessary purpose" where they occur in the third paragraph of the section the words "any aperture of the building left open for any purpose" 30

Repeal and
replacement of
sections 301
and 302 of
the principal
Ordinance

13. There shall be substituted for sections 301 and 302 of the principal Ordinance the following sections— 35

Breaking into
building and
committing a
felony

301 Any person who—

(1) breaks and enters a schoolhouse, shop, warehouse store office, counting-house garage, pavilion, club, factory or workshop, or any building belonging to His Majesty or to the Government, or to any Government department, or to any municipal or other public authority, or a building which is adjacent to a dwelling-house and occupied with it but is not part of it or any building used as a place of worship and commits a felony therein, or 40

(2) breaks out of the same having committed any felony therein,

is guilty of felony and liable to imprisonment for seven years 50

Breaking into
building with
intent to commit
a felony

302 Any person who breaks and enters a schoolhouse, shop, warehouse, store, office, counting-house, garage, pavilion, club, factory or workshop or any building belonging to His Majesty, or to the Government, or to any Government department, or to any municipal or other public authority, or a building which is adjacent 55

to a dwelling-house and occupied with it, but is not part of it, or any building used as a place of worship, with intent to commit a felony therein is guilty of a felony and is liable to imprisonment for five years

- 5 **14.** There shall be substituted for the marginal note to section 308 of the principal Ordinance the following—
 Obtaining by false pretences
- 15.** Section 317 of the principal Ordinance is amended in the following respects—
- 10 (a) by re-numbering sub-section (3) as sub-section (4), and
 (b) by inserting the following as sub-section (3)—
 (3) Any person who assists in concealing or disposing of or making away with any property which he knows or has reason to believe to have been stolen
 15 or obtained in any way whatsoever under circumstances which amount to felony or misdemeanour, is guilty of a misdemeanour, and is liable to imprisonment for three years
- 20 **16.** Section 322 of the principal Ordinance is amended in the following respects—
- (a) by substituting for paragraphs (c) and (d) of the definition of "trustee" the following—
 (c) the heir or personal representative of any trustee as aforesaid and any other person upon or to
 25 whom any such trust shall devolve or come,
 (d) executors including executors *de son tort* and administrators,
 (b) by substituting a colon for the full stop at end of paragraph (d) and by adding the following new paragraphs—
 30 (e) managers appointed under the authority of the Mental Treatment Ordinance, 1949,
 (f) official managers, assignees, liquidators or other like officers, by whatsoever name called, acting
 35 under the authority of any Ordinance relating to bankruptcy or joint stock companies

Amendment of marginal note to section 308 of the principal Ordinance

Amendment of section 317 of the principal Ordinance

Amendment of section 322 of the principal Ordinance

No 3 of 1949

MEMORANDUM OF OBJECTS AND REASONS

Experience has brought to light certain respects in which the Penal Code (hereinafter referred to as the principal Ordinance) requires amendment and this Bill will accordingly make the necessary amendments. The most important of these are as follows —

Under section 36 of the principal Ordinance the court is empowered to dismiss a charge, even though proved, if it is of the opinion that by reason of the character, antecedents, age, health or mental condition of the accused, or the trivial nature of the offence, or of any extenuating circumstances in which it was committed, it is inexpedient to inflict punishment. It is considered, however, that in proper cases the court ought none the less to be able to order the accused person to pay the whole or part of the costs of the prosecution. *Clause 4* will accordingly amend section 36 to make provision for this.

As section 40 of the principal Ordinance is now drafted it would seem that the court before which a person is convicted of an offence connected with the driving of a vehicle cannot declare that person to be disqualified from obtaining a certificate of competency if, for example, he never had one. *Clause 5* of the Bill will accordingly remedy this defect. The opportunity has also been taken to insert into the principal Ordinance these provisions of section 52 of the Traffic Ordinance which it is necessary shall apply and which are at present incorporated by reference.

It has been found that the provisions of section 149 of the principal Ordinance which deal with brothels are inadequate to enable the

police to keep proper control over such places *Clause 7* of the Bill will accordingly replace the existing section with a section based on the equivalent United Kingdom provision which has stood the test of time since its enactment in 1885

Clause 11 of the Bill will amend section 180 of the principal Ordinance which deals with offences in connexion with uniforms Paragraph (a) will amend sub-section (1) so as to provide that a person who wears a uniform or dress, such as is mentioned therein, with the authority not only of the Governor, but, for example, of the War Office, will not be guilty of an offence Paragraph (b) will amend sub-section (3) so as to make it an offence to import, sell or possess for sale as well as any uniform any dress of the description mentioned in the section This brings the sub-section into line with the other provisions of the section Paragraph (c) will add a proviso to sub-section (3) to exempt from the provisions of the sub-section the importation by a person of a uniform or dress of which he is lawfully in possession by virtue of previous service in the armed forces

Section 298 of the principal Ordinance defines "breaking and entering" for the purposes of those sections which deal with burglary and kindred offences The third paragraph of this section provides that a person who enters through a chimney or other aperture of a building permanently left open for any necessary purpose but not intended to be ordinarily used as a means of entrance is deemed to have broken and entered the building A window left open for ventilation is not "permanently" left open and the polefisher who, by means of an instrument, enters a building within the meaning of the second paragraph of the section cannot accordingly be deemed to have broken and entered *Clause 12* of the Bill will accordingly amend the section by substituting for the words "any chimney or other aperture of the building permanently left open for a necessary purpose" the words "any aperture of the building left open for any purpose"

The courts have held that the breaking and entering of a club is not an offence against sections 301 and 302 of the principal Ordinance as a club is not included in any of the buildings referred to in those sections *Clause 13* of the Bill will accordingly amend these sections to provide for this and the opportunity has been taken to redraft the sections on the lines of the United Kingdom Larceny Act, 1916

As the law now stands a person who not having actually received stolen property, does anything to assist in concealing it or disposing of it is not guilty of an offence *Clause 15* of the Bill will amend section 317 of the principal Ordinance by inserting a new sub-section to make these acts a misdemeanour punishable with three years imprisonment

Clause 16 will amend section 322 of the principal Ordinance in order to widen the definition of "trustee" and to include an executor *de son tort*, a manager appointed under the Mental Treatment Ordinance 1949, and official managers assignees and liquidators acting under any Ordinance relating to joint stock companies or bankruptcy Such persons will, therefore, be punishable under section 322 if, with intent to defraud, they destroy or convert to their own use the property of which they are trustees

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

Nairobi,
6th June, 1951

JOHN WHYATT
Attorney General

GOVERNMENT NOTICE NO 886

The Governor in Council has approved of the following Bill being introduced into the Legislative Council:

T V N FORTESCUE,
Acting Clerk to the Legislative Council

**A BILL ENTITLED
AN ORDINANCE TO AMEND THE REGULATION OF
WAGES AND CONDITIONS OF EMPLOYMENT
ORDINANCE, 1951.**

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 Regulation of Wages and Conditions of Employment (Amendment) Ordinance, 1951, and shall be read and construed as one with the Regulation of Wages and Conditions of Employment Ordinance, 1951 hereinafter referred to as the principal Ordinance. Short title
No 1 of 1951
2. Section 2 of the principal Ordinance is amended by substituting a semi-colon for the full stop at the end of the definition of "registered agreement" and by adding thereto the following definitions — Amendment of
section 2 of the
principal Ordinance
 - "statutory minimum remuneration" means remuneration fixed by a wages regulation order,
 - "wages council order" means an order made under the provisions of sub-section (1) of section 6 of this Ordinance establishing a wages council,
 - "wages regulation order" means an order made under sub-section (3) of section 10 of this Ordinance,
 - "wages regulation proposals" means wages regulation proposals submitted pursuant to sub-section (1) of section 10 of this Ordinance
3. Section 4 of the principal Ordinance is amended in the following respects — Amendment of
section 4 of the
principal Ordinance
 - (a) by substituting for the words "and thereafter any such recommendation" in sub-section (2) the words "and any such recommendation", and
 - (b) by substituting for the words "and such proposal shall be deemed to be a wages regulation proposal within the meaning of this Ordinance" in sub-section (4) the words "and any such proposal shall be deemed to be a wages regulation proposal within the meaning of section 10 of this Ordinance"
4. Section 6 of the principal Ordinance is amended in the following respects — Amendment of
section 6 of the
principal Ordinance
 - (a) by deleting the quotation marks before and after the words "wages council order" in sub-section (1), and
 - (b) by substituting for the words "all employees" in paragraph (i) of sub-section (2) the words "the employees"
5. Section 7 of the principal Ordinance is amended in the following respects — Amendment of
section 7 of the
principal Ordinance
 - (a) by substituting for the words "is published" in sub-section (3) the words "was published", and
 - (b) by deleting the comma which occurs after the words "withdraw the draft order" in sub-section (4)

Amendment of
section 10 of the
principal Ordinance

6. Section 10 of the principal Ordinance is amended in the following respects—

(a) by deleting the quotation marks before and after the words “wages regulation proposals” in sub-section (1), and

5

(b) by deleting the quotation marks before and after the words “wages regulation order” in sub-section (3)

Amendment of
section 12 of the
principal Ordinance

7. The proviso to sub-section (3) of section 12 of the principal Ordinance is amended by substituting for the words “warrant or complaint” the words “warrant, information or 10 complaint”

Amendment of
section 14 of the
principal Ordinance

8. Sub-section (1) of section 14 of the principal Ordinance is amended by deleting the comma which occurs after the words “premises of his employer”

Amendment of
section 17 of the
principal Ordinance

9. Sub-section (2) of section 17 of the principal Ordinance is amended by substituting for the words “shall exhibit in the prescribed manner” the words “shall exhibit in the prescribed language and manner” 15

Amendment of
section 23 of the
principal Ordinance

10. Paragraph (b) of the definition of “association of employees” in sub-section (1) of section 23 of the principal Ordinance is amended by substituting for the words “on works or staff council” the words “or works or staff council” 20

Amendment of
section 27 of the
principal Ordinance

11. Sub-section (1) of section 27 of the principal Ordinance is amended by deleting the quotation marks before and after the words “memorandum of terms of employment” 25

Amendment of
section 29 of the
principal Ordinance

12. Sub-section (2) of section 29 of the principal Ordinance is amended by substituting for the words “memorandum of employment” the words “memorandum of terms of employment”

Amendment of
section 31 of the
principal Ordinance

13. Section 31 of the principal Ordinance is amended 30 by substituting for the words “shall be varied” the words “shall be registered and no registered agreement or memorandum of terms of employment shall, except as provided in sub-section (2) of section 29 of this Ordinance be varied”

Amendment of
section 33 of the
principal Ordinance

14. Section 33 of the principal Ordinance is amended 35 by substituting a semi-colon for the full stop at the end of paragraph (b)

MEMORANDUM OF OBJECTS AND REASONS

It has been discovered that some of the amendments to the Regulation of Wages and Conditions of Employment Ordinance, 1951, herein referred to as the principal Ordinance, recommended by the Select Committee and passed by the Legislative Council during the debate on the motion to adopt the report of the Select Committee were not, through oversight incorporated in the copy of the Ordinance sent to the Printer and that the Ordinance assented to by the Governor is consequently not a true and correct copy of the Bill as passed. This Bill will accordingly make the appropriate amendments to the principal Ordinance which are necessary to remedy the omissions.

The opportunity has been taken to make minor amendments to sections 17, 29 and 31. *Clauses 9, 12 and 13* effect these amendments.

It is not expected that any additional expenditure of public moneys will be incurred if the provisions of this Bill become law.

Nairobi,
21st June, 1951

JOHN WHYATT,
Acting Attorney General

GOVERNMENT NOTICE No 887

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

T V N FORTESCUE,
Acting Clerk to the Legislative Council

ARRANGEMENT OF SECTIONS

SECTION

- 1—Short title and commencement
- 2—Interpretation
- 3—Increase of pension
- 4—Saving of existing increases
- 5—Provision for granting of a personal allowance in certain cases
- 6—Conditions precedent to payment of increase
- 7—Provisions applicable to increases
- 8—Increase payable by pension authority
- 9—Penalty for false statement, etc
- 10—Regulations

SECTION

- 11—Pensioner deemed in receipt of pension in certain circumstances
- 12—How increase calculated where person in receipt of more than one pension and what proportion payable under this Ordinance
- 13—Amendment of the Pensions (Increase) Ordinance, 1949
- 14—Repeal

FIRST SCHEDULE
SECOND SCHEDULE

**A BILL ENTITLED
AN ORDINANCE TO PROVIDE FOR THE INCREASE
OF CERTAIN PENSIONS PAYABLE BY THE
GOVERNMENT**

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 Pensions (Increase) Ordinance 1951 and shall except as otherwise provided in section 13 of this Ordinance, be deemed to have come into operation on the 1st day of January, 1951

Short title and commencement

2. (1) In this Ordinance unless the context otherwise requires—

Interpretation

“pension” means any pension or other benefit payable by way of periodical payments, but does not include any gratuity or any sum payable otherwise than by way of periodical payments,

“pension authority” means, in relation to any pension, the authority by whom the pension is payable

(2) Nothing in this Ordinance shall authorize the increase of any pension in respect of any period after the repeal of this Ordinance

3. (1) Where any person became eligible before the first day of January, 1946, for the grant of a pension specified in the First Schedule to this Ordinance, such pension shall, subject to the provisions of section 6 of this Ordinance, be increased by seven and one-half per centum

Increase of pension

(2) In addition to any increase prescribed by sub-section (1) of this section, every pension specified in the First Schedule to this Ordinance shall, subject to the provisions of section 6 of this Ordinance be increased by an amount calculated in accordance with the provisions of the Second Schedule to this Ordinance

Provided that—

(i) the amount of any increase payable under sub-section (2) of this section shall not exceed £75 per annum,

(ii) the combined total of the increases payable under sub-section (1) and sub-section (2) of this section shall not exceed £150 per annum,

(iii) the Governor in Council may by order, made with the approval of the Legislative Council, which shall be signified by resolution, amend the Second Schedule to this Ordinance and any such order may be made to have retrospective effect,

Saving of
existing
increases

No 7 of 1945
No 33 of 1945
No 54 of 1949

No 7 of 1945
No 33 of 1945
No 54 of 1949

Provision for
granting of a
personal allow-
ance in certain
cases

Cap 73
Cap 75
Cap 74

Conditions
precedent to
payment of
increase

4. In the case of a pensioner who became eligible before the 1st day of August, 1951 for the grant of a pension specified in the First Schedule to this Ordinance, if the aggregate of such pension and any increase thereof payable under section 3 of this Ordinance is less than the aggregate of the pension and the increase to which the pensioner was on the 1st day of August 1951, entitled under the provisions of the Pensions (Increase) Ordinances, 1945 and 1949 (hereby repealed), the pension authority shall grant to such pensioner a personal allowance equal to the amount of the difference between such aggregates

Provided that the amount of any personal allowance so granted shall be diminished or extinguished by the amount, if any by which any increase payable under the aforesaid Pensions (Increase) Ordinances, 1945 and 1949, would have been reduced by reason of any change in the circumstances of the pensioner

5. In the case of a pensioner who, on or after the 1st day of January, 1946, became eligible for a pension under the Widows' and Orphans' Pension Ordinance, the Asian Officers' Family Pensions Ordinance, or the Asiatic Widows' and Orphans' Pension Ordinance, if the aggregate of the pension payable under any of the aforementioned Ordinances and of the increase payable under section 3 of this Ordinance is less than the aggregate of the pension which would have become payable under any of the aforementioned Ordinances and of the increase payable under section 3 of this Ordinance if the pensioner had become eligible for the pension on the 31st day of December 1945, the pension authority shall grant to such person a personal allowance equal to the amount of the difference between such aggregates

6 (1) Subject to the provisions of sub-section (2) of this section, no pension which is payable in respect of the pensioner's own services shall be increased under the provisions of this Ordinance unless—

- (a) the pensioner has attained the age of 55 years, or
- (b) the pensioner has retired on account of physical or mental infirmity from the office or employment in respect of which, or on retirement from which, a pension is payable, or
- (c) the pension authority is satisfied that he is disabled by physical or mental infirmity, or
- (d) the pensioner retired from the service of the Government at the request of the Government before attaining the age of 55 years, or
- (e) the pensioner retired from other public service at the request of the appropriate authority in that other public service before attaining the age of 55 years

(2) In the case of a pensioner who at the commencement of this Ordinance—

- (a) retired voluntarily from the service of the Government or from other public service before attaining the age of 55 years, and
- (b) is in receipt of an increase under the Ordinances repealed by this Ordinance, and
- (c) has not reached the age of 55 years

he shall until he reaches the age of 55 years, continue to receive the amount of the increase referred to in paragraph (b) of this sub-section and upon reaching such age there shall be paid to him the increase and any personal allowance for which he may be eligible under the provisions of this Ordinance

Provided that the increase referred to in paragraph (b) of this sub-section shall be diminished or extinguished by the amount, if any, by which it would have been diminished or extinguished under the Ordinances repealed by this Ordinance
5 by reason of any change in the circumstances of the pensioner

7. Subject to the provisions of this Ordinance, any provision made by or under any enactment shall, in so far as it relates to the apportionment of the cost of a pension between two or more pension authorities, or to the manner in which a
10 pension is to be paid, or to the proof of title to sums payable on account of a pension or in so far as it prohibits or restricts the assignment or charging of a pension or its application towards the payment of debts, have effect in relation to any increase payable under this Ordinance as it has effect in
15 relation to the pension in respect of which the increase is payable

Provisions applicable to increases

8. Where any pension is increased under the provisions of this Ordinance, the cost of such increase shall be paid by the pension authority

Increase payable by pension authority

20 9. Any person who, for the purpose of obtaining either for himself or any other person, any sum payable by virtue of this Ordinance, knowingly makes any false statement or false representation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand shillings
25 or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment

Penalty for false statement, etc

10. The Governor in Council may make regulations generally for better carrying out the provisions of this Ordinance and any such regulations may, without prejudice to the
30 generality of the foregoing provision, make provision for—

Regulations

(a) the manner in which claims for an increase of a pension under the provisions of this Ordinance shall be made, and the procedure which shall be followed in considering and determining any such claim,

35 (b) the evidence which shall be required for determining whether and by what amount a pension may be increased,

(c) delegating to any person or authority the performance, in relation to any particular class of pensions, of all or any of the functions of the pension authority
40 under this Ordinance,

(d) prescribing anything required to be prescribed under this Ordinance

11. Where under the provisions of any enactment for
45 the time being in force a pension which is payable to any pensioner, is being paid to some other person the pensioner shall for the purposes of this Ordinance be deemed to be in receipt thereof

Pensioner deemed in receipt of pension in certain circumstances

12. Where a person is in receipt of a pension from one
50 or more other colonial administrations the increase payable under this Ordinance shall be calculated on the aggregate of both or all of such pensions and the increase payable on the pension specified in the First Schedule to this Ordinance shall be that proportion of the increase payable on both or all such
55 pensions as the amount of the pension specified in the First Schedule to this Ordinance bears to the combined total of both or all such pensions

How increase calculated where person in receipt of more than one pension and what proportion payable under this Ordinance

Amendment of
the Pensions
(Increase) Ordinance, 1949
No 54 of 1949

13. (1) The Pensions (Increase) Ordinance, 1949, is amended—

(a) by renumbering section 6 as sub-section (1) thereof and by adding the following new sub-section—

(2) The proviso to sub-section (1) of this section shall not apply to a pensioner who retired on or after the 1st day of October, 1948,

(b) by adding the following new section—

Special saving
provision

12 Where under the provisions of paragraph (2) or paragraph (3) of the Second Schedule to the principal Ordinance as amended by this Ordinance, the amount by which any pension is increased is less than the amount by which such pension would have been increased if this Ordinance had not been passed, then, notwithstanding anything to the contrary in this Ordinance such pension shall be increased by the amount by which it would have been increased if this Ordinance had not been passed

(2) This section shall be deemed to have come into operation on the 28th day of January 1945 20

Repeal
No 7 of 1945
No 33 of 1945
No 54 of 1949

14. The Pensions (Increase) Ordinances 1945 and 1949, are hereby repealed

FIRST SCHEDULE

Pensions which may be increased under this Ordinance —

1 A pension payable out of the general revenue of the Colony to or in respect of the services of an officer in accordance with the provisions of the Superannuation Acts, 1859 and 1887

2 A pension payable to or in respect of the services of an officer in pursuance of a special resolution of the Legislative Council of the Colony

3 A pension payable under the European Officers' Pensions Ordinance, 1927

4 A pension payable under the Non-European Officers' Pensions Ordinance, 1932

5 A pension payable under the Asiatic Widows' and Orphans' Pension Ordinance, 1927

6 A pension payable under the Asian Officers' Family Pensions Ordinance, 1942

7 A pension payable under the Widows' and Orphans' Pension Ordinance (Chapter 73, Laws of Kenya, 1948)

8 A pension payable under the Special Pensions Ordinance, 1950

9 A pension payable under the Pensions Ordinance, 1950

SECOND SCHEDULE

Where the pension is a pension specified in the First Schedule to this Ordinance then subject to the provisions of this Ordinance—

(a) if the pension does not exceed £300 per annum, the increase shall be ten per centum of the amount of the pension,

(b) if the pension exceeds £300 per annum but does not exceed £650 per annum, the increase shall be ten per centum of the first £300 of the pension and five per centum of the remainder of the pension,

(c) if the pension exceeds £650 per annum, the increase shall be ten per centum of the first £300 of the pension, five per centum of the next £350 of the pension and two and one-half per centum of the remainder of the pension

MEMORANDUM OF OBJECTS AND REASONS

In view of the considerable increase in the cost of living and the reintroduction of the cost of living allowance for serving officers of the Government it was proposed in Government White Paper No 1 of 1951, which was laid before Legislative Council at its last sitting, to introduce a new scheme for the granting of increases of pension to pensioners.

The existing scheme, which is contained in the Pensions (Increase) Ordinances, 1945 and 1949 applies only to pensioners whose pensions are calculated on pre-revision salaries scale. The lower ranges of pensions only are subject to increase and a pensioner who enjoys more than a specified amount of income other than pension is precluded from benefiting if his total income exceeds the stated figures. This feature is generally known as the "means test". Different ceilings of income are prescribed in respect of Europeans and Asians.

With retrospective effect from the 1st January, 1951, this Bill will repeal and replace the Pensions (Increase) Ordinances, 1945 and 1949, so as to make statutory provision for the granting of the increases in pensions in general in accordance with the scheme set out in Government White Paper No 1 of 1951. The main respects in which the provisions of this Bill will differ from existing legislation are—

- (a) that the "means test" will be abolished,
- (b) the pensions increases will be granted to all pensioners regardless of the date of their retirement, and
- (c) that the rates of increase will be the same irrespective of the race to which the pensioner belongs.

The Bill also contains provisions designed to ensure against any pensioner's position being worsened under the new scheme.

In order to protect the rights of certain pensioners under the Ordinance which will be repealed by this Bill it is necessary to make an amendment to section 6 of the 1949 Ordinance and to the Second Schedule to the 1945 Ordinance as amended by the 1949 Ordinance. These amendments will be given retrospective effect to the date of the commencement of the principal Ordinance.

The proviso to section 6 of the 1949 Ordinance was intended to apply only to officers who qualified for the revised terms of service but who had retired before the 1st October, 1948, the date on which those revised terms of service were notified. It is doubtful whether this intention was carried into effect and paragraph (a) of sub-clause (1) of clause 15 of the Bill will make this clear.

It has been found that the amendments made by the 1949 Ordinance to paragraphs (2) and (3) of the Second Schedule to the 1945 Ordinance resulted in certain cases in a pensioner receiving less than he would have done if the Ordinance had not been passed. Paragraph (b) of sub-clause (1) of clause 15 of the Bill accordingly adds a new section to correct this.

It is not possible to estimate accurately what additional expenditure of public moneys will result if the provisions of this Bill become law, but it is expected that initially it will be approximately £38,000 per annum.

Nairobi,
30th July, 1951

JOHN WHYATT,
Acting Attorney General

GOVERNMENT NOTICE No 888

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

T V N FORTESCUE,
Acting Clerk to the Legislative Council

**A BILL ENTITLED
AN ORDINANCE TO AMEND THE MUNICIPALITIES
ORDINANCE**

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 Municipalities (Amendment) Ordinance, 1951, and shall be read and construed as one with the Municipalities Ordinance hereinafter referred to as the principal Ordinance | Short title
Cap 136 |
| 5 | 2. Section 76 of the principal Ordinance is amended by renumbering the last two sub-sections (now numbered (4) and (5)) as sub-sections (5) and (6) respectively | Amendment of section 76 of the principal Ordinance |
| 10 | 3. Section 79 of the principal Ordinance is amended in the following respects—
(a) by substituting for the words “not less than seven days” the words “not less than fourteen days”, and
(b) by substituting for the words “within six days” which occur in the proviso to the section the words “within twelve days” | Amendment of section 79 of the principal Ordinance |
| 15 | 4. (1) Sub-section (2) of section 96 of the principal Ordinance is amended by substituting a full stop for the colon at the end of paragraph (b) and by deleting the proviso thereto

(2) The provisions of this section shall be deemed to have come into operation on the 1st day of January, 1951 | Amendment of section 96 of the principal Ordinance |

MEMORANDUM OF OBJECTS AND REASONS

This Bill will amend the Municipalities Ordinance (Cap 136) (hereinafter referred to as the principal Ordinance) in three respects

Clause 2 will merely renumber the last two sub-sections of section 76 consequentially upon the insertion of a new sub-section by Ordinance No 45 of 1950

It has been represented that publication of the general purport of any by-laws which a Municipal Council or Board proposes to make for a period of seven days is not sufficiently long to ensure adequate publicity and that the period of six days allowed for the lodging of objections is also too short *Clause 3* will accordingly amend section 79 so as to extend these periods to fourteen and twelve days respectively

Under sub-section (2) of section 96 of the principal Ordinance the Government is liable to pay a contribution in lieu of rates equal to the amount which the Crown would have to pay if Crown land were rateable. The proviso to the sub-section, however, limits the liability of the Crown to two per centum of the total unimproved value of Crown land. In practice the Government pays an amount equal to the rates which it would have to pay if Crown land was rateable and in order to do this it has been necessary to do it by special resolution of the Legislative Council. It is therefore considered that the time has come for the proviso to be deleted and *clause 4* of the Bill will accomplish this. This amendment has been given retrospective effect to the 1st January 1951, in order to avoid the necessity of any further special resolutions of Legislative Council in respect of payments made during 1951

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

Nairobi,
4th June, 1951

JOHN WHYATT,
Acting Attorney General

GOVERNMENT NOTICE No 889

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

T V N FORTESCUE,
Acting Clerk to the Legislative Council

ARRANGEMENT OF SECTIONS

SECTION	SECTION
1—Short title	5—Interim power to raise money by issue of Treasury bills
2—Authority to raise loan	
3—Application of loan	SCHEDULE
4—Commencement of contribution to sinking fund	

A BILL ENTITLED
AN ORDINANCE TO MAKE PROVISION FOR THE
RAISING OF A LOAN OF SIX MILLION POUNDS
STERLING FOR THE CONSTRUCTION OF
CERTAIN PUBLIC WORKS AND OTHER
PURPOSES

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 Development Loan Ordinance, 1951	Short title
2.	The Governor is hereby authorized to raise by loan by the issue of debentures or stock or both under the provisions of the General Loan and Stock Ordinance, 1950, an amount sufficient to produce as nearly as may be the sum of six million pounds sterling and such further sum as may be necessary to defray the expenses of issue	Authority to raise loan No 14 of 1950
3. (1)	Any sums raised to defray the expenses of issue shall be applied only to that purpose	Application of loan
(2)	Save as aforesaid the money to be borrowed under the authority of this Ordinance shall be appropriated and applied to the purposes specified in the Schedule hereto	
Provided that it shall be lawful for the Governor, with the sanction of the Legislative Council to be signified by resolution, to utilize any money not spent upon any one purpose specified in the said Schedule to meet any excess of expenditure in respect of any other purpose specified in such Schedule		
4.	Contributions to the sinking fund as contemplated by sections 14 and 28 of the General Loan and Stock Ordinance, 1950, shall commence not later than one year after the date from which the interest on the stock or debenture issued under that Ordinance shall commence to run	Commencement of contributions to sinking fund No 14 of 1950
5.	Pending the issue of the whole or any portion of the loan authorized by section 2 of this Ordinance the Governor may, if he deems this necessary, raise money up to the amount authorized to be borrowed by this Ordinance, by the issue as and when required of Treasury Bills under the Colonial Treasury Bills Ordinance and money so raised shall be repaid out of money borrowed under the authority of section 2 of this Ordinance	Interim power to raise money by issue of Treasury Bills Cap 250

SCHEDULE

	£
Agricultural Development	1,250,000
Water Supplies	500,000
Communications	1,480,000
Educational Development	1,750,000
Development Loans to Local Authorities	1,000,000
Payment of Stamp Duties on transfers of Stock issued under this or any other Ordinance of the Government of Kenya	20,000
Total	£6,000,000

MEMORANDUM OF OBJECTS AND REASONS

The purpose of this Bill is to seek legislative sanction to the raising, at a suitable opportunity of the second loan under the proposed programme of borrowing for the purpose of financing the Colony's development projects as set out in the Schedule. The Bill also contains in *Clause 5* provision which will enable the Government to borrow if necessary, on Treasury Bills pending the flotation of a loan on the London market.

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

Nairobi
17th July, 1951

J WHYATT,
Acting Attorney General

GOVERNMENT NOTICE No 890

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

T V N FORTESCUE,
Acting Clerk to the Legislative Council

**A BILL ENTITLED
AN ORDINANCE TO AMEND THE JUSTICES OF THE
PEACE ORDINANCE**

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 Justices of the Peace (Amendment) Ordinance, 1951, and shall be read and construed as one with the Justices of the Peace Ordinance, hereinafter referred to as the principal Ordinance
- 5 2 Sub-section (1) of section 2 of the principal Ordinance is amended by deleting therefrom the words "of European extraction"
- Short title
Cap 4
Amendment of section 2 of the principal Ordinance

MEMORANDUM OF OBJECTS AND REASONS

This Bill will amend the Justices of the Peace Ordinance so as to enable the Governor to appoint Justices of the Peace without regard to race.

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

Nairobi,
30th July, 1951

JOHN WHYATT,
Acting Attorney General

GOVERNMENT NOTICE No 891

The Governor in Council has approved of the following Bill being introduced into the Legislative Council

T V N FORTESCUE,
Acting Clerk to the Legislative Council

**A BILL ENTITLED
AN ORDINANCE TO REPEAL THE JUVENILES
(AMENDMENT) ORDINANCE, 1951, AND TO
AMEND THE JUVENILES ORDINANCE, 1934**

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 Juveniles (Amendment No 2) Ordinance, 1951, and shall be read and construed as one with the Juveniles Ordinance, 1934, hereinafter referred to as the principal Ordinance. Short title
No 22 of 1934
- 5 2. Section 2 of the principal Ordinance is amended by substituting for the definition of "approved school" (inserted by the Juveniles (Amendment) Ordinance, 1951), the following definition— Amendment of
section 2 of
the principal
Ordinance
No 24 of 1951

"approved school" means a school established under
10 section 26 of this Ordinance or a school declared by the Governor under that section to be an approved school,
3. Section 35 of the principal Ordinance is amended by adding thereto the following new paragraph— Amendment of
section 35 of
the principal
Ordinance

(d) To be temporarily released from an approved school
15 on leave of absence for such period and subject to such conditions as the Chief Inspector of Approved Schools may think fit
4. The Juveniles (Amendment) Ordinance, 1951, is repealed Repeal
No 24 of 1951

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to repeal certain provisions of the Juveniles (Amendment) Ordinance, 1951, which are of an extra-territorial character and to re-enact the remaining provisions of that Ordinance which provide for the temporary release of inmates from approved schools on leave of absence

If this Bill becomes law, the provisions of clause 3 may result in a very small additional expenditure of public money

Nairobi,
24th July, 1951

JOHN WHYATT,
Acting Attorney General