

MEETING HELD AT NAIROBI ON 2ND SEPTEMBER 1907

Present: H.E. The Governor (Col. Sadler).
The Senior Commissioner (Mr Hobley)
The Land Commissioner (Col. Montgomery).
The Treasurer (Mr Bowring).
The Crown Advocate (Mr Combe).
The General Manager, Uganda Railway (Mr Currie).
The Lord Delamere.
Mr J.H. Wilson.

MINUTES

The minutes of the previous meeting were confirmed.

QUESTIONS

Questions 1, 2, 3, 4, 5, and 6 were asked and ~~answers~~ *answers* given by the Honourable members concerned.

ABOLITION OF SLAVERY BILL—SECOND READING.

The Crown Advocate moved the Second Reading of a Bill for the Abolition of the Legal Status of Slavery throughout the East Africa Protectorate.

This being seconded by the Senior Commissioner, the motion was agreed to without dissent.

COUNCIL INTO COMMITTEE

The Crown Advocate moved that the Council go into Committee to discuss the Bill.

This was seconded by the Senior Commissioner and was agreed to without dissent.

Section 3.

The Crown Advocate moved that after the words " such rights" the words " other than rights over property" should be inserted and that at the end of the section the following should be inserted:

" Provided however that a District Court or
a Special Court shall enforce according to

" the Law in force immediately before the making of this Ordinance any claim made by a Master to or in respect of property belonging to him in the possession of of his slave at the date of this section first mentioned."

This was ^{seconded} ~~seconded~~ by the Land Commissioner and agreed to without dissent.

Section 4:

The Crown Advocate moved that the following should be added at the end of section 4:

" No Court fees shall be demanded by a District Court or Special Court in respect of any claim made or heard for compensation under this Ordinance."

This was seconded by the Land Commissioner and agreed to without dissent.

Motion:

The Crown Advocate moved that the words " Registering Officer " should be substituted throughout the Ordinance.

This was seconded by the Treasurer and agreed to without dissent.

Section 6

The Crown Advocate moved that the last paragraph of Section 6 should be deleted.

This was seconded by the Land Commissioner and agreed to without dissent.

Section 7

The Crown Advocate moved the substitution of the word " may " for " shall " in section 7 and the words " reasonable expenses " for " costs " in the same section.

This was seconded by the Land Commissioner and agreed to without dissent.

Section 8

The Crown Advocate moved the deletion of Section 8 and the substitution of the following:

" Every report sent to the Registering Officer under sections 6,7, and 12 shall contain the following particulars:

- (a) the serial number of the ~~proceedings~~ ^{proceedings} and the date.
- (b) the name and residence of the claimant
- (c) the name and residence (if known) of the person in respect of whom ~~compensation~~ ^{Compensation} is claimed
- (d) the amount of compensation if any awarded. "

This was seconded by the Land Commissioner and agreed to without dissent.

Section 10

The Crown Advocate moved the insertion of the words "or" between " body and Service" and the deletion of the words " or property" in subsection(2) and (4) in Section 10.

This was seconded by the Land Commissioner and agreed to without dissent.

Section 11

The Crown Advocate moved the substitution of " prejudiced" for " prejudice" in line Section 11 and deletion of all the words from the word " that" in the last line but one and the substitution of " such appeal shall be entered within 30 days from the date of the award. "

This was seconded by the Land Commissioner.

Mr Wilson moved that 45 should be substituted for 30 in the previous amendment.

This was seconded by Lord Delamere.

This amendment was agreed to without dissent.

The original amendment was then agreed to without dissent.

The Crown Advocate moved the addition of the following subsection to Section 11:

" (ii) An appeal under the preceding subsection shall be entered by sending to or depositing with the Registrar of the High Court a notice of Appeal stating the grounds of appeal and there shall be paid to the Registrar, at the time of ~~sending~~ ^{sending} or depositing such ~~notice~~ ^{notice} a fee of Rupees five. But the appeal shall not be deemed to have been entered until such notice and fee have been received by the Registrar.

(iii) It shall not be necessary for the appellant to attend at the hearing of any such appeal unless the High Court shall otherwise order."

This was seconded by the Land Commissioner and agreed to without dissent.

Section 12

The Crown Advocate moved the deletion in line 2, subsection 3, Section 12 of the words " A copy of the evidence and judgment " and the substitution of the " award".

This was seconded by the Land Commissioner and agreed to without dissent.

Section 14

The Crown Advocate moved the insertion of the word "or" between " body and sevice " and the deletion of the words " or property" in Section 14.

This was seconded by the Land Commissioner and agreed to without dissent.

Section 15

The Crown Advocate moved the deletion of " Judgments and awards " and " or property" in Section 15.

This was seconded by the Land Commissioner and agreed to without dissent.

Section 16

Lord Delamere moved the deletion of Section 16.

Mr Wilson seconded the motion.

Lord Delamere then expressed his wish and willingness to withdraw this motion if the word " concubine" was defined in the Ordinance.

The Treasurer moved that Judge Hamilton and Sheikh-ul-Islam should be asked to come to Nairobi for the purpose of clearly defining what the meaning of " concubine" ^{is} ~~is~~ in Arab law.

The Crown Advocate moved that a letter should be sent to Judge Hamilton asking him to consult a competent Mohamedan authority as to the meaning of the word "^{Concubine} ~~concubine~~" in Arab law for the information of the Council.

The Treasurer seconded this motion and withdrew his own motion for amendment.

Lord Delamere then withdrew his motion.

The Crown ^{Advocate} ~~Advocate's~~ motion was then agreed to and without dissent.

Motion: two new sections:

The Crown Advocate moved the insertion of two new sections:

- (a) The Governor may authorise the Registering Officer to hold an additional District or Special Court in any district of the Protectorate for the purpose of hearing and determining any claim for compensation under this Ordinance.
- (b) The Governor shall appoint an officer

to exercise and perform the powers
and duties imposed upon the Registering
Officer under this Ordinance.

This was seconded by the Land Commissioner and agreed
to without dissent.

VOLUNTEER BILL-- SECOND READING .

The Crown Advocate moved the Second Reading of a Bill
to amend the East Africa Volunteer Reserve Ordinance of 1905.

This was seconded by the Senior Commissioner and agreed
to without dissent.

COUNCIL INTO COMMITTEE

The Crown Advocate then moved that the Council go
into Committee to discuss this Bill.

This was seconded by the Land Commissioner and agreed
to without dissent.

Section 2

The Crown Advocate moved the insertion in subsection 2,
Section 2, in line 4 of the following words " Between in and
Ordinance", "The East Africa Volunteer Reserve " and in the
same subsection and the section in the last line in 1905
for 1907.

This was seconded by the Land Commissioner and agreed
to without dissent.

Section 3

Lord Delamere moved the insertion in line 4 of Section
3 after the word Mombasa " or Nairobi" and in the last line
of the same subsection after the word " Island", "or" " for
the defence of Nairobi".

This was seconded by the Senior Commissioner.

The Land Commissioner moved the deletion of Section

3.

This was seconded by Lord Delamere who then withdrew
his first motion.

The question was then put and there voted for the amendment, the Treasurer, the Crown Advocate, the General Manager, Uganda Railway, Lord Delamere, the Senior Commissioner and the Land Commissioner. Mr Wilson voted against the amendment.

The amendment was declared carried.

The Crown Advocate moved that the Bill be now reported to the Council with the above amendments.

This was seconded by the Land Commissioner and the question being put there voted for the motion the Treasurer, the Crown Advocate, the General Manager, Uganda Railways, Lord Delamere, the Senior Commissioner and the Land Commissioner. Mr Wilson voted against the motion.

The motion was declared carried and after debate the Bill was reported to the Council.

The Crown Advocate in Council gave notice that he proposed to move the Third Reading of the Bill on September 9th.

POLICE BILL-- SECOND READING.

The Crown Advocate moved the Second Reading of a Bill to amend the East African Police Ordinance 1906.

This was seconded by the Land Commissioner and agreed to without dissent.

COUNCIL INTO COMMITTEE

The Crown Advocate then moved that the Council go into Committee.

This was seconded by the Land Commissioner and agreed to without dissent.

The Bill having been considered in Committee and no amendments being made, the Crown Advocate moved that the Bill be now reported to the Council.

This was seconded by the Senior Commissioner and agreed to without dissent.

The Crown Advocate in Council gave notice that he proposed to move the Third Reading of this Bill on September 9th.

ADJOURNMENT

The President of the Council declared the Council adjourned to 11 a.m. on September 3rd. 1907.