

# East Africa Protectorate.

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## Summary of the Proceedings of the Legislative Council of East Africa.

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### Second Session,

*September 18th, 1911.*

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Nairobi,

PRINTED BY THE GOVERNMENT PRINTER,

East Africa Protectorate.

# Summary of the Proceedings of the Second Session of the Legislative Council, 1911.

Held at Nairobi on the 18th September, 1911.

The Council assembled on the 18th September at 9-30 a.m., HIS EXCELLENCY THE GOVERNOR (SIR E. P. C. GIROUARD, K.C.M.G., D.S.O., R.E.) presiding.

## *Present.*

THE HON. THE ACTING TREASURER (H. P. ESPIE).  
THE HON. THE ACTING CROWN ADVOCATE (H. A. YOUNG).  
THE HON. THE MANAGER OF THE UGANDA RAILWAY (H. A. F. CURRIE, C.M.G.).  
THE HON. MR. A. C. HOLLIS, C.M.G. (SECRETARY FOR NATIVE AFFAIRS).  
THE HON. MR. J. H. WILSON.  
THE HON. MR. T. R. SWIFT.  
THE HON. MR. T. A. WOOD.

## *Absent.*

THE HON. THE CHIEF SECRETARY TO THE GOVERNMENT (C. C. BOWRING, C.M.G.).  
THE HON. MR. A. C. MACDONALD (DIRECTOR OF AGRICULTURE).  
THE HON. MR. F. W. MAJOR, I.S.O. (CHIEF OF CUSTOMS).  
THE HON. MR. A. M. JIVANJI.  
THE HON. MR. V. M. NEWLAND.  
THE HON. DR. A. E. ATKINSON.

THE PRESIDENT administered the Oath of Allegiance to the HON. MR. H. P. ESPIE (Acting Treasurer) and to the HON. MR. H. A. YOUNG (Acting Crown Advocate).

THE PRESIDENT said he was glad to be able to announce to Council that arrangements had been made whereby the proceedings would be fully reported and afterwards published in the "Official Gazette" as a Hansard. This official account would also be furnished to the Press.

The minutes of the Council Meeting of March 20th were read and confirmed.

THE HON. MR. J. H. WILSON in pursuance of notice given asked:—

(1) "Whether His Excellency was aware that the Protectorate had been cut off from direct cable communication with the outside world since July 11th and was dependent on sea transport between Mombasa and Zanzibar and vice-versa for the sending and receiving of messages?"

(2) "Whether he could state when the cable between Mombasa and Zanzibar was likely to be repaired?"

(3) "Whether in view of the chaos in business circles and the great inconvenience entailed on the general public by the interruption of the cable His Excellency would take into consideration the advisability of linking up the East Africa Protectorate with the German Protectorate land lines via Vanga and also an extension of the Uganda Government land lines between Nimule and Gondokoro?"

(4) "Whether His Excellency would make provision in the coming Estimates for the installation of a Wireless Telegraph Station at the Coast?"

THE HON. THE ACTING TREASURER replied:—

(1) "That His Excellency had been made aware of the long continued interruption of cable communication, the great inconvenience of which had been represented by telegram to the Secretary of State on the 18th of August".

(2) "Information had been received on the 4th September from the Managing Director of the Telegraph Company, London, that a repair ship was en route to restore communication".

(3) "His Excellency understood that the Governor of Uganda had for some time past been in communication with the Soudan Government regarding a junction between the telegraph systems of Uganda and the Soudan. It was hoped that the matter would be placed in hand during the next financial year. An overland telegraph between Mombasa and Tanga was essentially a matter in which the co-operation of the German Government was required. On the last occasion on which the project had been put forward, the German authorities had stated that they were unable to do anything in the matter for the time being. The question was now under correspondence between the two Governments in regard to the ensuing financial year".

(4) "The Postmaster General had already been instructed to include provision for a wireless station at Mombasa in the draft estimates for 1912-1913. The adoption of the proposal must however depend upon the financial situation and such other urgent calls for expenditure as His Excellency might have to consider in connection with the Estimates. It was unfortunate that many useful and desirable schemes of improvement had every year to be held back for want of funds".

THE HON. MR. T. A. WOOD in pursuance of notice given asked "Whether, in regard to the present unsatisfactory state of telegraphic communication between Mombasa and Zanzibar, His Excellency would be good enough to inform Council what steps were being taken to improve the same?"

THE HON. ACTING TREASURER replied that he would refer the Honourable Member to the answers to the previous questions.

THE PRESIDENT enquired if the Honourable Mr. Wood was satisfied with the reply which had been given.

THE HON. MR. T. A. WOOD replied in the affirmative, adding that he was not aware that his honourable friend (Mr. J. H. Wilson) had put the same question.

THE HON. ACTING CROWN ADVOCATE gave notice of the following motion:— "That as the number of Rhinoceroses are decreasing all over the Protectorate it is advisable in the interests of their preservation that His Excellency should alter the number of Rhinoceroses allowed to be hunted, killed, or captured under a Sportsman's or Resident's licence from the two at present allowed to one".

THE HON. MR. A. C. HOLLIS seconded.

THE PRESIDENT said that he had thought it desirable to summon the Game Warden and with the permission of Honourable Members to allow him to make a statement to Council before the motion was actually discussed. He presumed that no Honourable Member would have any objection to that procedure, as otherwise he would have to swear in the Game Warden as a special extraordinary member. He did not think they were contravening their Standing Orders by so doing.

THE GAME WARDEN, having been summoned, said that in asking that the number of rhinoceroses allowed under a Sportsman's or Resident's licence should be reduced to one, he was asking for a measure that did not in any way curtail the privileges of the settlers of this country, nor did it prevent farmers from killing off all the rhinoceroses on their land. It simply affected visitors who came to East Africa on shooting trips. He thought that any man should be perfectly satisfied with one rhinoceros. The big game (rhinoceros, elephant and lion), offered the greatest attractions to visiting sportsmen, and he thought that everyone who knew the country recognised that these animals had decreased in number very considerably in the open plains. The rhinoceros was a very slow breeding animal. It would be too late to attempt to preserve such animals as the rhinoceros and elephant when their numbers had been reduced below a certain number. In reducing the number of rhinoceroses allowed to one, it was not preventing the Sportsman from defending his life.

(The Game Warden then left the meeting).

THE PRESIDENT said that Honourable Members had heard what the Game Warden had said. His own view was that the rhinoceros was one of their most valuable game animals and that it afforded one of the greatest attractions to visiting sportsmen. It had decreased very rapidly, more particularly on the Athi and the Loita plains. He could personally remember having seen as many as 10 or 12 rhinoceroses on the Loita Plains, and he was now informed that they were rarely seen there. The rhinoceros was a very slow breeding animal and took a long time to come to maturity, and, as the Game Warden had said, it would be too late to attempt to preserve such animals as the rhinoceros and elephant when their numbers had been reduced to a very low ebb. It seemed to him that

the sportsman should be well satisfied at being able to shoot, besides a great variety of beautiful antelopes and carnivorous animals, one each of such huge and extraordinary animals as the elephant and rhinoceros, which did not really belong to this period at all but were living relics of a prehistoric age. In reducing the number of rhinoceroses allowed to one, it was not preventing the sportsman from defending his life when in danger, for it was admitted that this animal was upon occasions most dangerous, though ordinarily he was very stupid. Nor, as had been explained by the Game Warden, did it prevent the farmer from exterminating these animals on his land. The sole reason for the introduction of the motion was to ensure the more adequate protection of these valuable animals in the shooting districts. The revenue of the Game Department was of some importance. It had paid not only £10,000 to Government in cash, but to traders, farmers, and practically everyone in the country meant a large capital expenditure by visiting sportsmen, and he thought it behoved them to be very careful with regard to the carnivorous and more dangerous animals before it was too late. Under "dangerous" game might be included the lion, elephant, rhinoceros, and buffalo, which would all have to be dealt with in due course to prevent their extermination in the outlying shooting grounds.

THE HON. MR. T. A. WOOD said he came there that day to vote against the motion particularly in the interests of the settler. It was an open question whether the sportsman was a great asset to the country, as His Excellency appeared to believe from the statement which he had made.

THE PRESIDENT said he would not say that the sportsman was a great asset. He was, however, undoubtedly an asset.

THE HON. MR. T. A. WOOD, continuing, said that His Excellency had mentioned that a sum of £10,000 had been derived from licences. He would like to say that in his opinion a considerable percentage of that sum was provided by local settlers for the purpose of coming within the law in killing off the game which they considered detrimental to the progress of the country. As a commercial proposition he had not great sympathy with this movement to retain the country as a vast zoological garden. Possibly he was prejudiced, but he hoped to see the day when game in the country would be confined to certain areas away from civilisation and settlement. The sporting asset might be retained by the Government by the issue of licences in those reserves allowing sportsmen to shoot a very limited number of animals.

THE HON. MR. J. H. WILSON said he would like to say in supporting the proposal that he agreed with almost every word the Game Warden had spoken. He also did not think that the rhinoceros did any damage because the progress of civilisation meant the withdrawal of the rhinoceros. He had therefore to record his vote in favour of the motion.

THE HON. MR. T. R. SWIFT said he would like to say that he was quite prepared to support the motion. So far as rhinoceroses were concerned his feeling was that the rarer and larger kinds of game were not the ones that did the greatest harm to the agricultural districts. At the same time he did feel strongly that it would be a great pity to maintain large game reserves near the best agricultural parts of the country. He thought it was regrettable that the settlers themselves in some parts should join together to form a game reserve as he thought it was most detrimental to the interests of the country seeing that the one could not exist in close proximity to the other.

The motion was put and carried by 6 votes to 1.

THE HON. ACTING TREASURER moved a resolution "That the Appropriation Accounts for the year 1910-11 be approved".

He explained that, in accordance with the regulations for the Colonial Service, appropriation accounts showing the excess and savings on each sub-head of the Estimates had to be laid before the Legislature, and he stated that these accounts were embodied and fully dealt with in his Financial Report for 1910-11.

THE HON. ACTING CROWN ADVOCATE seconded.

The motion was put and carried.

THE HON. ACTING TREASURER moved a resolution "That a Supplementary Estimate of £46,173 for the year 1911-12 be approved". He explained that £9,134 of that sum was composed of unspent balances of votes for last year and that the remaining £37,042 represented re-allocations of sums voted in the original estimates passed by Council on 21st March last.

THE HON. ACTING CROWN ADVOCATE seconded.

THE HON. ACTING TREASURER gave the following explanations in regard to the various items, which were discussed one by one.

Pensions.

1. PENSIONS.—Mr. J. H. Penruddocke's from 1st November, 1911, to 31st March, 1912, and Mr. M. M. Gracias' from 22nd September, 1911, to 31st March, 1912 ... £ 78  
Mr. Penruddocke's (Assistant Locomotive Superintendent, Uganda Railway) pension of £162-6-2 per annum was sanctioned by Colonial Office despatch No. 126 of 9th March, 1911.  
Mr. Gracias' (Police Clerk) pension of £20 per annum was sanctioned by Colonial Office despatch No. 161 of 27th March, 1911.

H. E. The Governor

2. HIS EXCELLENCY THE GOVERNOR.—Motor Car ... £ 770  
£870 was provided in the 4th Supplementary Estimate for 1910-11 and approved by Colonial Office telegram of 6th September, 1910. This sum included provision for upkeep. The cost of the car was £770, and as payment was not made till this financial year it was necessary to take a fresh vote.

"Official Gazette" and Printing and Stationery.

3. "OFFICIAL GAZETTE" AND PRINTING AND STATIONERY.—PERSONAL EMOLUMENTS.—Salary and bonus to Mr. Coates during Mr. Trim's absence on leave ... £ 142  
Sanctioned by Colonial Office despatch No. 426 of 4th August, 1911. Mr. Coates would draw his Uganda rate of pay, £200 per annum, plus a bonus of £25.

THE HON. MR. T. A. WOOD asked, in respect to this item, whether they were to understand that Government had no one capable of taking the place of the Head Printer who had gone home on leave. He merely raised the point because he was personally against the system of keeping the staff down and preventing them from showing a spirit of ambition to rise, by bringing in a substitute from some other country when an officer went away on leave. The same principle applied to the service generally of this country. He noticed in other instances that vacancies caused by the promotion of officers were filled by officers from other Colonies. He could not think that that was good for the service. He was perfectly certain that if he was one of the subordinate staff it would not be good for his service; and that after a few years' experience he would become disappointed and unable to do his duty. He would like to see some reform in the future if His Excellency agreed with the principle which he had tried to enunciate.

THE PRESIDENT, in reply, said that the Honourable Member had spoken of two principles, the first being the replacing of an officer temporarily absent on leave. There were some Departments where the procedure suggested by the Hon. Member would be highly undesirable.

The other question was a very large one and opened up the whole principle of promotion in the Colonial Service. It would be very hard on officers if instead of being able to hope from time to time for promotion in another Colony (and it might be for the good of that Colony that such transfers should happen) their promotion should be confined to the Colony in which they happened to serve. He thought that transfer was the line which every Civil Service would follow; and it must be left to the good judgment of the officers in the Colonial Office to decide whether a man in another Colony had better claims to promotion than any of the men in the Colony in which the vacancy had occurred. They had recently seen officers taken from Uganda and promoted to Southern Nigeria; they had seen officers taken from Nyasaland and promoted to Uganda. It must be for the good of the service of the Colony in which an officer was serving, when his efforts were recognised by the central authority and when he could hope for promotion elsewhere.

THE HON. MR. T. A. WOOD said he would like to remark further in explanation that it seemed to him that a man who was promoted to another Colony must of necessity in many cases be put over the heads of deserving people. That seemed to him to be the weak point in the principle. If a man was promoted to another Colony and put over the heads of the local people he considered it detrimental to the Colony concerned.

Provincial Administration.

4. PROVINCIAL ADMINISTRATION.—PROVINCE OF TANZANIA.  
—PERSONAL EMOLUMENTS. Pay of tribal retainers and interpreters ... .. £ 158



£138 of this was for Tribal Retainers, for whom through a misapprehension no provision was made in the original estimates. £20 was for 2 Somali interpreters who were required owing to the fact that Somalis came down from Biskaya to the Tana River for pasture.

5. Township expenses—Lamu ... .. £ 200 Ditto.

A great reduction in the vote for station hands took place throughout the Protectorate. This was found to be excessive at Lamu, and it became necessary to engage sweepers and scavengers for the township. All the other large townships have provision for conservancy purposes.

6. PROVINCE OF UKAMBA. Food for labourers and repatriation expenses ... .. £ 100 Ditto.

The vote of £40 was practically exhausted by the end of May and further provision was necessary.

THE HON. MR. T. A. WOOD, referring to this item, mentioned that instances had occurred where dead labourers had been found with sufficient money on their persons to buy food, and even pay for their railway fare, but they would not spend it. He was not speaking against the vote: it was only humane that the Honourable Members should consider it. He considered that the natives should be educated to provide for themselves rather than that Government should spend money in food to carry them on. It was an actual fact that money had been found on the bodies of dead natives. There would also of course be cases where the money was robbed from the bodies.

THE HON. MR. A. C. HOLLIS said in reply that he did not think there were many cases of natives dying from starvation with money on their persons. The cause of death was generally an acute form of malaria. Most of these native labourers came from Kenya. On the way back to their homes many of them died, whilst others died after reaching their homes. If any natives had died of starvation it had been in cases where they had failed to find work and had no money with which to buy food.

7. PROVINCE OF NYANZA.—PERSONAL EMOLUMENTS.—Temporary employment of Mr. Turpin for Hut Tax collection ... £ 50 Ditto.

Owing to a shortage of administrative officers His Excellency appointed Mr. Turpin temporarily to assist in the collection of Hut Tax under the authority conferred upon him by Section 9 of the Hut Tax Ordinance, 1910.

8. PROVINCE OF NAIVASHA.—PERSONAL EMOLUMENTS.—Payments to Regents during the minority of Masai Chief Segi and wages of Hut Tax counter ... .. £ 92 Ditto.

£80 of this item was for payment of salaries at Rupees 50 per mensem each to Legalishu and Ngaroya, who had been appointed Regents during the minority of the Masai Chief Segi, the successor of Lenana.

£12 was for the pay of a Hut Tax counter for the Turkhana district.

9. PROVINCIAL ADMINISTRATION—*Special Expenditure*:— Provincial Administration.—Special Expenditure.

PROVINCE OF NAIVASHA.—Masai Reserves ... .. £ 200

This item was required for expenses in connection with the move of the Masai from the Northern to the Southern Reserve.

THE HON. MR. T. A. WOOD, referring to this item, asked if Honourable Members were to understand that the Masai movement was going on smoothly. About a week ago he had been up-country, and he was bound to say that it was common report, though he did not know whether there was any truth in the statement, that the Masai were returning to the Northern Reserve as fast as they could get there.

THE PRESIDENT in reply said that the Masai move, which had been started in the beginning of June, went forward extremely well until August. Those who had gone to the slopes of the Mau, to the land which was generally known as "The Promised Land", found considerable rain and cold, and, not unnaturally perhaps, they retired down the slopes to warmer land. He at once despatched the Director of Agriculture and the Secretary for Native Affairs to enquire into the matter, to find out whether the people were suffering, and to advise him as to what should be done owing to the check. The report that came with regard to the suffering of the people did not show that anything unusual had occurred, and was not more than might have been expected in such a large movement of natives with their stock. It was however felt that it would be unfair, if not impossible, to continue the movement as it was reported that owing to the rains the main road over the Mau had become totally unfit for the movement of cattle, of which it was estimated that the Masai had 190,000

head. He would say at once that the difficulty arose when Government became aware of the fact that the number of Masai cattle in the Northern Reserve vastly exceeded the estimate which had been previously given. He thought that anyone who had anything to do with natives in East Africa would recognise that it was an extremely difficult matter to obtain any accurate estimate of their stock unless an actual count was made. He had given orders that the Masai who had not yet crossed over the Mau should retire towards the Northern Reserve. He would eventually see the Masai themselves and come to some definite conclusions but these conclusions he could not lay before Council that day. Government was very grateful for the assistance which had been rendered by settlers generally in the Rift Valley in allowing the Masai cattle to graze on their lands but he felt that it would be unwise and unfair to the settler to keep them there for an indefinite period. Most of the cattle had been moved on to land which had been kindly placed at the disposal of Government by the East Africa Syndicate and on to the edge of what was the old Northern Masai Reserve.

Provincial Administration—Special Expenditure. (contd.)

10. PROVINCE OF JERUHALAND.—To start new station at Dolo ... £ 200

This was a reallocation of the amount provided in the Estimates for a temporary station at Afmadu.

Port and Marine Department—Special Expenditure.

11. PORT AND MARINE DEPARTMENTS—*Special Expenditure*.—New steam launch—Mombasa ... £ 1,993

This was an unexpended balance from 1910-11, which it was desired to treat as remanet expenditure (vide paragraph 28 and Appendix V. of Financial Report for 1910-11).

Audit Department.

12. AUDIT DEPARTMENT.—Passages ... £ 205

The original vote was under estimated. The Auditor's leave was due last financial year, but he did not take it till April, 1911; also the appointment of an Assistant Auditor terminated and the vacancy had to be filled.

The Hon. Mr. T. A. Wood said that in respect to this item it was his intention to vote against it as a protest against the system. He had previously raised the question in Council. He considered that 2½ years' service was much too short for officers living in a healthy part of the country and that long leave on the expiration of that period placed much too great an expense on public funds. There were unhealthy parts in the country and he did not wish to deprive officers of reasonable leave. He considered that with long leave after 4 years' service, and a certain amount of leave in the country in the healthy parts, officers would be amply served, and such a course would be much less expensive to the country. He wished to have every consideration for the officer who was stationed in an unhealthy district and he thought that transfers could be arranged with a little organisation. He would accordingly record his vote against the item.

The item was passed by 6 votes to 1.

Legal Departments.

13. LEGAL DEPARTMENTS.—ADMINISTRATOR GENERAL.—PERSONAL EMOLUMENTS.—Temporary clerk for 6 months ... £ 28

This temporary appointment was due to shortage of officers.

Ditto.

14. CROWN ADVOCATE'S DEPARTMENT.—General Law Costs ... £ 105

This was required to meet cases in which the Government had had to pay law costs.

Police.

15. POLICE.—PERSONAL EMOLUMENTS.—Followers ... £ 20

This was required for two extra trolley boys at Mombasa.

Ditto.

16. Extradition Expenses ... £ 54

These expenses were incurred in connection with extradition proceedings taken against Nassur Khanji and Jaffer s/o Omar

Prisons.

17. PRISONS.—PERSONAL EMOLUMENTS.—Miscellaneous Staff ... £ 63

*Salary of Storekeeper 9 months.*

Provision for this Storekeeper's pay was omitted from the original estimates as it was thought that his services would not be required. It was however found necessary to re-engage him.

Medical Departments.

18. MEDICAL DEPARTMENTS.—Entomological Research... £ 267

Expenditure incurred under Colonial Office despatch Miscellaneous of 19th November, 1909, on entomological investigation in its relation to the diseases of men, animals, and plants in the British Colonies and Protectorates in West and East Africa.

THE HON. MR. T. A. WOOD, referring to this item, said that he considered that they themselves could have found a far more useful purpose for the money. They had a very fair scientific staff in the country — a Bacteriologist, a Pathologist, and an Entomologist, drawing annual salaries, — and he wished to know why the work could not be undertaken by them, and the money saved out of their department, without making a special vote for it and thus increasing the expenditure. If it was necessary to spend the money he would like to see it taken out of one of these Departments.

THE HON. ACTING TREASURER said that the amount was being met by economies in other directions.

THE PRESIDENT pointed out the advantages of such investigations which were recommended by the Home Government. Particularly in the case of disease they were of great benefit to mankind. Other Colonies joined with the Motherland in this work, and each Colony was asked to contribute according to its means. The Liverpool and London Schools of Tropical Medicine had carried out most valuable research work at a very small expenditure of money. It was most desirable that joint action should be taken in such an important matter.

THE HON. MR. T. A. WOOD said he would like to add that he had no doubt on that subject himself, but he was against the system. If the people of the country were asked for contributions they would probably give double the amount for such useful work as was done at the Liverpool School of Tropical Medicine.

THE PRESIDENT reminded the Honourable Member that he could not speak more than once on a proposition except in explanation. He presumed that the Honourable Member's remarks were made in explanation?

THE HON. MR. T. A. WOOD: Yes, Sir.

19. EDUCATION.—PERSONAL EMOLUMENTS.—Administration... 28 Education.

*Salary of Clerk and Office Boy.*

20. Carriage of Goods ... .. 15 Ditto.

Provision for these items was omitted in the original estimates.

21. Grants in aid for Continuation Classes, &c. ... .. 50 Ditto.

This was to provide capitation grants for passed pupils under arrangements which had been made with the Young Men's Christian Association for continuation classes. The subjects of instruction were Mathematics, Swahili, Hindustani, Building Construction, Drawing, Book-keeping, Shorthand, French, and Land Surveying.

THE PRESIDENT said that in this connection Government had been very sensible of the assistance which the Young Men's Christian Association proposed to give in furthering education at a small cost. Government was not in a position to arrange for Continuation Classes in the higher subjects, and was only too glad to receive the assistance which had been promised.

22. MILITARY EXPENDITURE—3RD BATTALION KING'S AFRICAN RIFLES.—PERSONAL EMOLUMENTS—Regimental Staff and Officers—Europeans ... .. £ Military Expenditure and Military Special Expenditure.

23. Troops—African ... .. 1,335

24. Followers ... .. 170

25. Uniforms and Outfits ... .. 150

26. Miscellaneous Stores ... .. 30

27. Rations ... .. 500

28. Local Travelling, etc., African Troops ... .. 500

29. Officers Passages ... .. 100

30. Officers Local Travelling ... .. 200

31. 2ND BATTALION KING'S AFRICAN RIFLES.—PERSONAL EMOLUMENTS.—Regimental Staff and Officers—Europeans 2,300

32. Troops African ... .. 2,124

33. Followers ... .. 360

34. Gratuities and prizes for rifle shooting ... .. 1,300

35. Half cost of bounty of 2 months pay for 2 Companies stationed in Zanzibar ... .. 175

36. Uniforms ... .. 10

37. Miscellaneous Stores ... .. 50

38. Rations ... .. 600



	£
39. Local Travelling ... ..	200
40. Officers and Indian passages ... ..	155
41. Cart Staff ... ..	3
42. Transport of Goods ... ..	10
43. Passages to Nyasaland ... ..	20
44. MILITARY— <i>Special Expenditure</i> .—3RD BATTALION KING'S AFRICAN RIFLES.—New Minor Works. ... ..	345
45. Purchase of Mess ... ..	100
46. 1ST BATTALION KING'S AFRICAN RIFLES.—Purchase of Mess ... ..	150

Owing to the reorganisation of the Military Forces the Military Schedules required to be almost entirely re-cast. The original estimates provided for the 3rd Battalion with a strength of 6 companies, and for the 1st Battalion with a strength of 4 companies, two of the latter being intended for service in Zanzibar, for which the Zanzibar Government was to pay to East Africa a contribution of £10,000. Provision was also made for the transport of 4 companies of the 2nd Battalion to Nyasaland and 4 companies of the 1st Battalion from Nyasaland.

It was subsequently decided that the 3rd Battalion should consist of 7 companies, which would all be stationed in East Africa, and that 2 new companies should be recruited for the 1st Battalion, of which one was to be stationed in East Africa and the other in Zanzibar.

Two companies of the 2nd Battalion left East Africa on 19th May, 1911, and were disbanded in Nyasaland on 15th June. The other 2 companies of that Battalion left Zanzibar on 9th September and would be disbanded on arrival in Nyasaland.

One company of the 1st Battalion arrived at Zanzibar on 9th September and the other company arrived at Mombasa on 10th September.

The additional company of the 3rd Battalion was recruited locally in May.

The total of the Military items in this Supplementary Estimate was £12,219, which represented expenditure necessitated by the reorganisation but not provided for in the original estimates. On the other hand, savings were anticipated to the extent of £14,944, so that the net savings on the original expenditure estimates might be reckoned at £2,725.

The savings would have been greater but for the fact that it had been found necessary to make increased provision for Rations and Local Travelling on account of the occupation of the Northern Frontier District, and also because the Secretary of State had decided that the establishment of company officers should be increased to the proportion of 3 officers to each company, this being considered the minimum number compatible with safety and efficiency in view of leave of absence and possible sickness.

It would, however, be entirely misleading to state that a saving of £2,725 was anticipated in respect of the Military; for this reason, that the original estimates were based on the assumption that 2 companies were to be stationed at Zanzibar and that Zanzibar would make a contribution of £10,000 (*vide* Revenue Schedule No. 5 of Sanctioned Estimates), whereas, as would be observed from what had been stated above, Zanzibar had 2 companies till September and thereafter only one company. It was therefore only reasonable that the contribution should be decreased; and, while the exact amount had yet to form the subject of negotiation with the Zanzibar authorities, it was safe to assume that the reduction in the contribution would approximately counterbalance the savings referred to above, and that the net Military expenditure would be substantially the same in total, although altered in detail, as originally estimated.

Miscellaneous  
service.

47. MISCELLANEOUS SERVICES—Coronation Celebrations ... £ 390  
Provision for this was inadvertently omitted from the original estimates.

Post Office and  
Telegraphs.—  
*Special Expenditure*.

48. POST OFFICE AND TELEGRAPHS—*Special Expen-*  
*diture*—Telephone Extensions ... .. £ 350

Owing to a reduction in telephone rates there had been an increase in telephone subscribers, necessitating the purchase of more material.

THE HON. MR. T. A. WOOD, referring to this item, said there was a certain amount of dissatisfaction. In Nairobi they had a telephone system—official and non-official. The non-officials apparently paid an annual sum. He understood the Postmaster General to say that the amount paid for rental did not cover the annual cost. The officials only paid the capital charge for installation—he understood no further payment was made after that. He was voicing the opinion of a large number of people when he asked for a reduction of the rate from £10 to £8. The people were not at all satisfied that they were not paying for the annual maintenance of a large number of other people's telephones. He would like His Excellency's assurance that this was not the case but that the non-officials were only paying their fair proportion and that the Government was paying the annual maintenance charges on its own telephones.

THE HON. ACTING TREASURER assured the Honourable Member that Government did bear the cost of maintaining its own wires.

THE PRESIDENT said he thought it would have been better if the question had not been put at the present sitting. Was the Honourable Member quite satisfied with what the Hon. Treasurer had said?

THE HON. MR. T. A. WOOD said he was quite satisfied with the Hon. Treasurer's explanation.

THE PRESIDENT considered that the question should be put at the next meeting of the Council. The notice given was too short to permit of a reply being given at that sitting, the Postmaster General being absent from Nairobi.

49. RAILWAY DEPARTMENT— <i>Special Expenditure.</i> —Lake	£	
Surveys ... ..	950	Railway Department.—Special Expenditure.
50. Houses—Completion of	1,526	

These were unexpended balances from 1910-11 which it was desired to treat as remanet expenditure (vide paragraph 28 and Appendix V. of Financial Report for 1910-11).

	£	
51. Kilindini Transporters, &c.	3,300	Ditto.
52. Meritini Station	1,100	
53. Mariakani Station	1,100	
54. 14 Unit Barracks, Nairobi	1,750	
55. 2 Bungalows on plain	1,100	
56. New plant at Port Florence	650	
57. 3 Landies, Nakuru	1,200	
58. 3 Houses, Port Florence	1,500	
59. Barrack, Port Florence	1,100	
60. 2 Stone Houses, Nakuru	1,000	
61. Re-arrangement, Kilindini Yard	1,200	
62. Extension to Jinja Pier	1,500	
63. Piers, &c., Homa and Usembo	1,000	

The total of these items was £17,500. In the original estimates a sum of £20,000 was provided for Railway Department, Special Expenditure, Schedule 22a. On account of the continued increase of traffic since the estimates were originally drafted, and also owing to the flotation of the Magadi scheme, this schedule had had to be entirely recast, the only item of the original schedule which it was not proposed to alter being New Rolling Stock £2,500.

64. AGRICULTURAL DEPARTMENT.—ECONOMIC PLANTS	£	Agricultural Department.
DIVISION.—Seed for distribution to natives	200	

The sum of £400 was allowed for this object in 1910-11, but provision was omitted in the original estimates for the current year, as it had been hoped that the Government farms would produce the requisite quantity of seeds. Owing to drought this hope had not been fulfilled, and it had therefore become necessary to take a vote.

65. VETERINARY DIVISION.—Chief Veterinary Officer's tour to	£	Ditto.
Abyssinia	250	

One of the results of the occupation of the Northern Frontier District had been the opening of a new trade in horses and mules, large mobs of which had come down from the Abyssinian Frontier. Since July, 1910, between 1,200

and 1,300 horses and mules had come down to Nairobi, and the result had been a very considerable reduction in the price. While it was true that a horse would generally fetch its value, it must be remembered that until recently the price of horses placed them beyond the means of many people, and that since this influx from the North took place many a settler of small means, who under previous conditions could not afford it, had been able to provide himself with a horse. The benefits which would accrue by opportunities of purchasing horses at a low price were apparent. Considering the deplorable amount of disease which had attacked livestock in the past, and the resulting losses to settlers, it was of the first importance that due precautions be taken to prevent the benefits of this new trade being outweighed by the introduction of further disease. Cattle, too, were none too plentiful, and it was hoped to foster this trade. In view therefore of the possible introduction of disease from Abyssinia it had been considered not only advisable but necessary for the Chief Veterinary Officer to proceed to obtain a knowledge of the conditions as regards stock and stock diseases in the Northern Frontier District and Abyssinia and to endeavour to arrange a trade in cattle, and it could not therefore be considered that the small amount placed upon the estimates for this visit and inspection was other than desirable and necessary.

Forest and Scientific  
Departments.

66. FOREST AND SCIENTIFIC DEPARTMENTS.—FOREST  
DEPARTMENT.—PERSONAL EMOLUMENTS ... .. £ 275  
*Leave pay and allowances of the Chief Conservator of Forests.*

This item was sanctioned by Colonial Office despatch No. 303 of 6th June 1911. The original estimates provided for only 4 months' leave pay.

Forest and Scientific  
Departments—  
(contd.).

67. Commissioner of Mines Department ... .. £ 115  
*Pay and expenses of temporary Geologist.*

The services of a Geologist were temporarily engaged to investigate and report upon an alleged discovery of coal, of which a sample had been sent to England. The material represented by this sample was not a true coal, but rather a coaly shale, which, on account of the high percentage of ash furnished, would be of no value as a fuel. Its occurrence in a formation of shales and sandstones was stated to be a promising feature, and Honourable Members would no doubt recognise the wisdom of incurring some expenditure to investigate the area with a view to a possible discovery of definite beds of coal.

Forest Department  
Special Expenditure.

68. FOREST DEPARTMENT—*Special Expenditure.*—  
Forester's Cottages—completion of ... .. £ 288

This was for the completion of two Foresters' cottages at Londiani and Kinopoi which were started last financial year.

THE HON. MR. T. A. WOOD, referring to this item, said he thought he was right in saying that there was a considerable section of the population of the country dissatisfied with the Forest Department as it was being run at the present day. There was no doubt that it was a useful Department but he had personally looked for results of the expenditure which had been incurred and it was rather difficult to discover anything more than the protection of Forests, which he thought could have been made a branch of the Police Service much more economically. He would like to be convinced that the Department had done useful work. He could not say that he was satisfied with what had been done up to the present. He saw a few small plantations here and there, but he thought that private enterprise could show a great deal more for forestry.

THE PRESIDENT said that at the last meeting of the Council he had promised that there would be some reorganisation of the Forest Department as a whole. Such reorganisation was proceeding, and he therefore trusted that the Honourable Member would leave a general discussion as to this Department and its work until the Estimates for the following year were brought forward.

Survey Department  
and Land Office.

69. SURVEY DEPARTMENT.—PERSONAL EMOLUMENTS.—  
Cadastral Branch ... .. £ 50

*Compassionate gratuity to the widow of the late Mr. F. Smythe.*

A compassionate gratuity of £95 was sanctioned by the Colonial Office to the widow of Mr. Smythe who held a joint appointment in the Survey and Land Offices, and who died in April, 1911.



70. LAND OFFICE.—PERSONAL EMOLUMENTS ... ..	£ 117	Survey Department and Land Office.
<i>Salary of Mr. F. X. V. Menezes and compassionate gratuity to the widow of the late Mr. F. Smythe.</i>		

This item included £72 for the salary of Mr. Menezes who had been temporarily employed since 1909 and for whom provision should have been made in the original estimates.

71. PUBLIC WORKS DEPARTMENT.—Recruiting of Indian Artizans ... ..	£ 1,000	Public Works Department.
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In former years a vote was taken on the original estimates, but it had been hoped this year that sufficient local labour would be available. It had, however, been found impossible to avoid engaging more artisans from India owing to the inadequacy of the local supply and the exorbitant rate of wages demanded by locally engaged men.

72. PUBLIC WORKS EXTRAORDINARY.—MAJOR WORKS— Nairobi Gaol ... ..	£ 962	Public Works Extraordinary.
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73. Southern Masai Reserve ... ..	£ 2,000	Ditto.
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These were unexpended balances from 1910-11, which it was desired to treat as remanet expenditure (vide paragraph 28 and Appendix V. of Financial Report for 1910-11).

THE HON. MR. J. H. WILSON said he would like to congratulate the Government on the Nairobi Gaol. When he visited the old building a year or two ago he found that it was of no use whatever. He had visited the new Prison yesterday, and it seemed to be a going concern. He understood that the original estimate for this building was £20,000. He did not know what the actual expenditure was, but it was very much less than the original estimate.

74. MINOR WORKS.—Quarters for Sub-Inspector, Office and Cells, Voi ... ..	£ 600	Public Works Extraordinary.
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This was a reallocation of item 24 in the Public Works Extraordinary Schedule No. 30 of the original Estimates, for a house for the Assistant District Superintendent of Police, Voi.

75. Police Office and Inspector's Quarters, Rabai ... ..	£ 420	Ditto.
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This was a reallocation of items 25 and 26 in Public Works Extraordinary, Schedule No. 30 of the original Estimates, for Police Buildings at Shimoni.

76. Quarters for clerk, Voi ... ..	£ 230	Ditto.
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The building of quarters at this unhealthy station was very necessary. The item was inadvertently omitted from the original Estimates.

77. Ngabotok New Station ... ..	£ 100	Ditto.
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This was a partial reallocation of item 6 in Public Works Extraordinary, Schedule No. 30 of the original Estimates, for a new Station, Uasin Gishu.

78. MISCELLANEOUS, Refuse destructors, Mombasa ... ..	£ 1,450	Ditto.
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79. Hot and cold water installation, Nairobi Hospital ... ..	£ 250	
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These were unexpended balances from 1910-11, which it was desired to treat as remanet expenditure (vide paragraph 28 and Appendix V. of Financial Report for 1910-11.)

80. Acquisition of land at Meru ... ..	£ 33	
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This item was for compensation to natives for shambas required for the enlargement of Meru Station.

81. COAST LAND SETTLEMENT.—Expenses of Boards, including compensation ... ..	£ 80	Coast Land Settlement.
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Owing to the temporary transfer of the Liwali of Lamu to Malindi to serve on the Arbitration Board working under the scheme of Coast Land Settlement it was necessary to appoint a substitute to act for him at Lamu.

The items having been discussed seriatim, the motion that the Supplementary Estimates be passed was put and carried.



### Hut and Poll Tax Amendment Ordinance.

THE HON. MR. A. C. HOLLIS in pursuance of notice given introduced and moved the first reading of the Bill intituled "An Ordinance to amend the Native Hut and Poll Tax Ordinance, 1910". In his explanation of the Bill he stated that there was no legal method of getting defaulters to pay their taxes except by summons to Court, which entailed extra work and expense. There had already on this count been a loss to the revenue of £300 in one District alone. The present amended Ordinance was no innovation on the Ordinance of 1903, which was repealed last year. Under that Ordinance they possessed the right to charge the defaulter with the costs of an action. This provision had been inadvertently omitted from last year's Bill, and it was now desired to include it. Provision was also made for the forfeiture of the hut of a defaulter eight months after the tax was due instead of twenty months. No hut could, however, be forfeited except by the sanction of the Governor, so that there was no danger of an abuse of this power.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried, and the Bill was read a first time.

THE HON. MR. A. C. HOLLIS moved the Suspension of Standing Orders in order to pass this measure through its second and third readings.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried.

THE HON. MR. A. C. HOLLIS moved that this Bill be now read a second time.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried.

The Council resolved itself into a Committee of the Whole Council, His Excellency the Governor presiding.

### IN COMMITTEE.

The Bill was read and discussed clause by clause and adopted without amendment.

### The Council resumed its sitting.

THE HON. MR. A. C. HOLLIS reported the Bill to Council without amendment and moved that the Bill be read a third time.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried, and the Bill was read a third time and passed.

### Appropriation Amendment Ordinance.

THE HON. ACTING TREASURER in pursuance of notice given introduced and moved the first reading of the Bill intituled "An Ordinance to amend the Appropriation Ordinance 1911." He explained that section 2 of the Appropriation Ordinance No. 2 of 1911, which had been passed by Council on the 21st March last, was so worded that legislative sanction would be necessary for any alteration in the Estimates, whether such alteration involved excesses on the heads of the Estimates specified in the schedule to the Ordinance or not, and, as such was not the intention, it was now necessary to pass an amending Ordinance providing for the omission from section 2 of the original Ordinance of all words after the word "hereto."

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried, and the Bill was read a first time.

THE HON. ACTING TREASURER moved the Suspension of Standing Orders in order to pass this measure through its second and third readings.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried.

THE HON. ACTING TREASURER moved that this Bill be now read a second time.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried.

The Council resolved itself into a Committee of the Whole Council, His Excellency the Governor presiding.

## IN COMMITTEE.

The Bill was read and discussed clause by clause and adopted without amendment.

**The Council resumed its sitting.**

THE HON. ACTING TREASURER reported the Bill to Council without amendment and moved that the Bill be read a third time.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried and the Bill was read a third time and passed.

**Volunteer Reserve Amendment Ordinance.**

THE HON. ACTING CROWN ADVOCATE in pursuance of notice given introduced and moved the first reading of the Bill intituled "An Ordinance to amend the Volunteer Reserve Ordinance, 1910."

He explained that the object of the bill was to allow the formation of a Legion of Frontiersmen Unit. It would be a field service not a district Unit. The necessity for the Bill arose from the unwillingness of field service members to serve under officers other than their own and complications might arise if there were not a Field Service Unit for which members could be called up at once.

THE HON. MR. A. C. HOLLIS seconded.

The question was put and carried, and the Bill was read a first time.

THE HON. ACTING CROWN ADVOCATE moved the Suspension of Standing Orders in order to pass this measure through its second and third readings.

THE HON. MR. A. C. HOLLIS seconded.

The question was put and carried.

THE HON. ACTING CROWN ADVOCATE moved that this Bill be now read a second time.

THE HON. MR. A. C. HOLLIS seconded.

The question was put and carried.

The Council resolved itself into a Committee of the Whole Council, His Excellency the Governor presiding.

## IN COMMITTEE.

The Bill was read and discussed clause by clause and adopted without amendment.

**The Council resumed its sitting.**

THE HON. ACTING CROWN ADVOCATE reported the Bill to Council without amendment and moved that the Bill be read a third time.

THE HON. MR. A. C. HOLLIS seconded.

The question was put and carried and the Bill was read a third time and passed.

**Additional Appropriation Ordinance (1910-11).**

THE HON. ACTING TREASURER in pursuance of notice given introduced and moved the first reading of the Bill intituled "An Ordinance to supply a further sum of money for the service of the year ended the 31st March, 1911." He explained that, as stated in his Financial Report, certain excesses had been incurred on heads of expenditure, and although they were all covered by savings on other heads, they required an additional Appropriation Ordinance in accordance with the regulations of the Colonial Office, and this bill was submitted for that purpose.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried and the Bill was read a first time.

THE HON. ACTING TREASURER moved the Suspension of Standing Orders in order to pass this measure through its second and third readings.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried.

THE HON. ACTING TREASURER moved that this Bill be now read a second time.

THE HON. ACTING CROWN ADVOCATE seconded.

The question was put and carried.

The Council resolved itself into a Committee of the Whole Council, His Excellency the Governor presiding.

#### IN COMMITTEE.

The Bill was read and discussed clause by clause and adopted without amendment.

#### The Council resumed its sitting.

THE HON. ACTING TREASURER reported the Bill to Council without amendment and moved that the Bill be read a third time.

THE HON. MR. A. C. HOLLIS seconded.

The question was put and carried, and the Bill was read a third time and passed.

#### Prisons Ordinance.

THE HON. ACTING CROWN ADVOCATE in pursuance of notice given introduced and moved the first reading of the Bill intituled "An Ordinance to make further and better provision for the organisation of the Prisons Staff and the Management of Prisons." He briefly detailed the provisions of the Bill which had been before the Council for the last two years. It was based on the Uganda Ordinance, 1909, and also certain clauses had been taken from the English and Indian Prisons Acts. A new feature of the Bill was the introduction of a system of gratuities after a period of service.

THE HON. MR. A. C. HOLLIS seconded.

The question was put and carried, and the Bill was read a first time.

THE HON. ACTING CROWN ADVOCATE gave notice that he would move the second reading of this Bill at the next Session.

#### Police Ordinance.

THE HON. ACTING CROWN ADVOCATE reported the recommitment by H. M. Principal Secretary of State for the Colonies of the Bill intituled "An Ordinance to make provision for the organisation, discipline, powers, and duties of the Police 1909, for the reconsideration of certain amendments, and moved that Council go into Committee.

THE HON. MR. A. C. HOLLIS seconded.

The question was put and carried and The Council resolved itself into a Committee of the Whole Council, His Excellency the Governor presiding.

#### IN COMMITTEE.

The amendments to the Bill were read clause by clause and adopted.

#### The Council resumed its sitting.

#### Forest Ordinance.

THE HON. ACTING CROWN ADVOCATE reported the re-commitment by H. M. Principal Secretary of State for the Colonies of the Bill intituled "An Ordinance to provide for the better protection of Forests and Trees on Crown Land 1910" with certain amendments, and moved that Council go into Committee for consideration thereof.

THE HON. MR. A. C. HOLLIS seconded.

The question was put and carried and the Council resolved itself into a Committee of the Whole Council, His Excellency the Governor presiding.

#### IN COMMITTEE.

The amendments to the Bill were read clause by clause and adopted.

#### The Council resumed its sitting.

HIS EXCELLENCY THE GOVERNOR said that he had much pleasure in announcing that His Majesty the King had been pleased to approve the appointment of Dr. Arthur Edward Atkinson as an Un-Official Member of the Legislative Council of the East Africa Protectorate.

The Council adjourned *sine die*.