

East Africa Protectorate.

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

Second Session,

May 27th, 1912.

Nairobi

PRINTED BY THE GOVERNMENT PRINTER,

East Africa Protectorate.

Minutes of the Proceedings of the Second Session of the Legislative Council, 1912.

Held at Nairobi on the 27th, 28th and 29th May, 1912.

FIRST DAY.

The Council assembled on the 27th May at 10 a.m., HIS EXCELLENCY THE ACTING GOVERNOR (C. C. BOWRING, C.M.G.) presiding.

Present:—

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT (A. C. HOLLIS, C.M.G.)
THE HON. THE TREASURER (H. A. SMALLWOOD).
THE HON. THE ATTORNEY GENERAL (R. M. COMBE).
THE HON. THE ACTING MANAGER OF THE UGANDA RAILWAY (C. T. SANDIFORD, C.B.)
THE HON. CHIEF OF CUSTOMS (F. W. MAJOR, I.S.O.).
THE HON. C. W. HOBLEY, C.M.G.
THE HON. R. BARTON WRIGHT.
THE HON. T. A. WOOD.
THE HON. DR. A. E. ATKINSON.
THE HON. B. G. ALLEN.
THE HON. P. G. DICKINSON.
THE HON. G. ST. JOHN MILDMAY.

Oath of Allegiance.

THE PRESIDENT administered the Oath of Allegiance to Messrs C. W. Hobley, C.M.G., C. T. Sandiford, C.B., R. Barton Wright, B. G. Allen, P. G. Dickinson and G. St. John Mildmay.

Minutes.

The Minutes of the Council Meeting of 12th and 13th February, which had been printed and circulated amongst Hon. Members, were taken as read and were confirmed.

Question.

THE HON. B. G. ALLEN, in pursuance of notice given, asked:—

Whether the Hon. the Director of Agriculture received representations from the Nairobi Coffee Planters Association as to the desirability of having all coffee trees and plantations in the Protectorate inspected under the Rules dated the 3rd February, 1912, issued under the Diseases of Plants Prevention Ordinance, 1910, with a view to having all diseased and abandoned coffee trees destroyed?

Having regard to the growing importance of the coffee planting industry and the grave danger of disease spreading from plantation to plantation can an assurance be given that a thorough inspection of all coffee plantations and trees will be carried out at an early date and can an approximate date for the commencement of such inspection be fixed?

THE HON. THE ACTING CHIEF SECRETARY, in reply, said:—

The answer to the first part of the Hon. Member's question is in the affirmative.

MR. ANDERSON, Government Entomologist, has been appointed Inspector under the rules dated February 3rd, 1912, under the Diseases of Plants Prevention Ordinance, 1910, and his appointment will be gazetted in the Official Gazette of June 1st. Since the publication of the Rules, Mr. Anderson has been fully occupied on the equally important matter of wheat inspection but it is hoped that the work of inspecting coffee plantations will be commenced immediately.

Fourth Supplementary Estimate 1911-12.

THE HON. TREASURER, in pursuance of notice given, moved a resolution "That a Fourth Supplementary Estimate of £77,389 for the service of the year 1911-12 be approved."

THE HON. ACTING CHIEF SECRETARY seconded.

THE HON. TREASURER, explained the various items of the Supplementary Estimate, as follows:—

EAST AFRICA PROTECTORATE.

Fourth Supplementary Estimate for the year, 1911-1912.

Item No.	Schedule No.	Head of Service.	Amount. £
1	6	PROVINCIAL ADMINISTRATION.	
		PROVINCE OF TANALAND.	
		Presents to Chiefs	20
		PROVINCE OF UKAMBA.	
2		Local Travelling	50
		PROVINCE OF JUBALAND.	
3		Personal Emoluments—(Station hands) ...	80
		PROVINCE OF NAIVASHA.	
4		Local Travelling	267
5		Magadi Railway Magistrate and Labour Inspection Officer, expenses of ...	100
		NORTHERN FRONTIER DISTRICT.	
		Local Travelling	114
6		Carriage of Goods	58
7		Purchase and upkeep of livestock, etc. ...	100
8		Ration for Station Staff	200
9			
10	8	CUSTOMS DEPARTMENT.	
		PERSONAL EMOLUMENTS.	
		Salaries of 3 6th grade clerks	27
11	9a	PORT AND MARINE DEPARTMENTS— <i>Special Expenditure.</i>	
		PORT OFFICE.	
		Mooring lighter	700
12	11	LEGAL DEPARTMENTS.	
		CROWN ADVOCATE'S DEPARTMENT.	
		General Law Costs	21
13	16	EDUCATION.	
14		Native Technical Education	288
		Indian Education at Mombasa	150
		Carried forward ...	2,175

Item No.	Schedule No.	Head of Service.	Amount. £
		Brought forward ...	2,175
15	18	MILITARY EXPENDITURE.	
		3RD BATTALION KING'S AFRICAN RIFLES.	
		Officer's passages	150
16		1ST BATTALION KING'S AFRICAN RIFLES.	
		Arms and equipment	61
17	19	MISCELLANEOUS SERVICES.	
		Language Bonuses	100
18		Assessment of Nairobi	33
19	21	POST OFFICE AND TELEGRAPHS.	
		POST OFFICE AND TELEGRAPH WORKING.	
		Carriage of mails by sea and bounty fees ...	900
19a	22a	RAILWAY DEPARTMENT.	
		<i>Special Expenditure.</i>	
		Oil fuel installation for Lake Steamers ...	6,000
20	23	AGRICULTURAL DEPARTMENT.	
		NAIVASHA STOCK FARM.	
		Upkeep of Farm	150
21	24	FOREST AND SCIENTIFIC DEPARTMENTS.	
		GAME DEPARTMENT.	
		Native Scouts	33
22		Rewards, Transport, etc.	87
23	30	PUBLIC WORKS EXTRAORDINARY.	
		MAJOR WORKS.	
		Completion of Police Depôt, Nairobi ...	222
24		MINOR WORKS.	
		Permanent Cattle Sheds, Nairobi ...	270
25		Petty Works	80
		MISCELLANEOUS.	
26		Sheep Dip at Kilindini	28
27		Acquisition of land for Government Offices at Shella (Lamu)	333
28	32	COAST LAND SETTLEMENT.	
		RECORDER OF TITLES DEPARTMENT.	
		Local Travelling	67
29		Travelling Allowances	33
30		SPECIAL SURVEY EXPENDITURE.	
		PERSONAL EMOLUMENTS.	
		Salary of Mr. J. H. McEwen, computer @ £250 p. a.	67
31	33	SPECIAL EXPENDITURE FOR MAGADI. ...	66,600
		Total £	77,389

The motion that the Fourth Supplementary Estimate be approved was put and carried.

Report of Committee on Transport Department.

THE CLERK intimated that the following Report of the Committee appointed to enquire into and report upon the Transport Department was laid on the Table:—

Report.

The members of the Committee appointed to enquire into and report upon the Transport Department with a view to ascertaining whether the whole or a considerable part of the work of this Department cannot be more efficiently performed by private enterprise are satisfied that, at any rate for the present, it is not desirable to endeavour to make the suggested change.

Nairobi,

March 13th, 1912.

H. A. F. CURRIE,

Chairman.

The King's African Rifles Ordinance, 1912.

THE HON. ACTING CHIEF SECRETARY, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "The King's African Rifles Ordinance, 1912." He said that the Bill repealed the King's African Rifles Ordinance, 1902, and the King's African Rifles Amendment Ordinances, 1903, 1905, and 1909. It embodied the provisions of the Ordinances which it repealed but included certain alterations and amendments of minor importance so as to bring it into line with the King's Regulations for the Army and the Army Act. A similar Ordinance had been promulgated in the Uganda, Nyasaland, and Somaliland Protectorates, and this new Ordinance was required in the East Africa Protectorate in order that all the members of the King's African Rifles might be placed under one and the same law.

THE HON. CROWN ADVOCATE seconded, and the Bill was read a first time.

THE HON. ACTING CHIEF SECRETARY gave notice that he would move the second reading of the Bill at a later stage of the Session.

Sales by Auction Ordinance.

THE HON. CROWN ADVOCATE, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to Regulate Sales by Auction." He said that at the present time the licensing of auctioneers and the regulating of the business of auctioneers was not sufficiently provided for by any local law. The Brokers Regulations of 1901, under which auctioneers, pawnbrokers, and silversmiths were licensed, were evidently framed with a view to regulating the business of the small brokers and silversmiths who might be expected to handle, in the course of their business, goods which had been unlawfully obtained by their customers. No provision had been made in these Regulations to regulate the business of auctioneers. It was now considered that the time had arrived when the business of auctioneers should be regulated by some law similar to that in force in British Colonies. The original draft of the Bill had been submitted to the Nairobi Chamber of Commerce who had recommended certain amendments and alterations. Some of these had been given effect to, and the others which the Government did not feel justified in immediately adopting would be laid before a Special Committee of Council, which would be appointed to consider the Bill, and any members of the Chamber of Commerce who desired it would be given an opportunity of placing their views before the Special Committee. The Bill was based on laws in force in British Colonies some of which had been in force for a considerable number of years and might therefore be assumed to be workable and proper laws. He did not think any useful purpose would be served at that stage by seeking to explain the provisions of the Bill; that could be more conveniently done when the Bill was being considered in Committee.

THE HON. ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. CROWN ADVOCATE, gave notice that he would move the second reading of the Bill at the afternoon sitting.

Vaccination Ordinance.

THE HON. ACTING CHIEF SECRETARY, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to make further and better provision for the prevention of the spread of Small-pox." He said that it was hardly necessary to say much in support of a Vaccination Bill. Smallpox was one of the most dreadful and fatal of diseases; it caused many deaths, one out of every five whom it attacked among people not vaccinated or inoculated died of it, and those who escaped death were more or less permanently disfigured by it; their skin got pock-pitted, and their natural looks were spoiled; eyesight was often lost, deafness sometimes resulted, and the general health was impaired. These people went through life maimed or disfigured, objects of pity to others and often a burden to themselves. Smallpox was endemic throughout the length and breadth of East Africa. Cases of it occurred every year, now and then springing into small epidemics, which, if not controlled, would easily and rapidly spread through the land. The one safe and certain control of smallpox was vaccination. As an instance of what compulsory vaccination effected, he reminded Hon. Members of the epidemic Nairobi underwent in 1909. As a result of vaccinating some 9,000 persons, the disease entirely disappeared from the township. Continuing he said that the attitude of the native, generally speaking, was very tolerant towards vaccination; certainly in times of epidemic they came forward voluntarily. Certain of the tribes already practised cow-pox inoculation, and it was not expected that the gradual institution of compulsory Vaccination would give rise to any trouble. A compulsory Vaccination Ordinance was already in force in German East Africa, and in the two years 1909 and 1910, 1,800,000 persons had been vaccinated.

THE HON. CROWN ADVOCATE seconded, and the Bill was read a first time.

THE HON. ACTING CHIEF SECRETARY, gave notice that he would move the second reading of the Bill at a later stage of the Session.

East Africa Police Amendment Ordinance.

THE HON. CROWN ADVOCATE, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the East Africa Police Ordinance, 1910." He said that the Police Ordinance of 1911, had been returned to Council for consideration of certain amendments which were considered necessary. The Council had adopted the amendments and passed the Ordinance as amended, but certain consequent amendments were not made, and this Bill was introduced to remedy the defects in the 1911 Ordinance by making the necessary amendments consequent on the amendments that Council made when the Bill was returned to the Council by His Excellency.

THE HON. ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. CROWN ADVOCATE, gave notice that he would move the second reading of the Bill on the following day.

Wattle Bark Industry Ordinance.

THE HON. CROWN ADVOCATE, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to make provision for the protection of the Wattle Bark Industry." He said that the Bill was introduced in the interests of the Wattle Bark industry and in consequence of representations made, he believed, by several persons interested in the industry. With one exception, the Bill was an enabling enactment only, namely to enable Government from time to time to make rules and regulations in the interests of the industry. The Bill made provision for issuing of rules regulating the inspection of plantations and the licensing of plantations for the harvesting of seed. It was extremely desirable in all such laws as the one now introduced that power should be given to deal with the matters intended to be regulated by rules which might be initiated, altered or amended by the Governor without reference to Council. The one exception referred to was the express provision, coming into operation at once, prohibiting the further planting of the silver wattle tree in this Protectorate. He was informed that the silver wattle tree was not of great value as a tree. It had been planted in this Protectorate but generally on account of its being a fast growing tree and forming a good shelter for coffee plantations. He understood that no hardship would be imposed on anyone by prohibiting the further planting of it while it is considered that the continued planting of this tree would, by reasons of the risk of cross fertilization, endanger the black wattle industry.

THE HON. ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. CROWN ADVOCATE, gave notice that he would move the second reading of the Bill at a later stage of the Session.

Customs Tariff Amended Ordinance.

THE HON. CHIEF OF CUSTOMS, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the Customs Tariff Ordinance 1909." He said that the Bill provided a definition of the words 'india rubber' and also provided for the exemption of petrol and the stores of the Inspector General of the King's African Rifles. Hon. Members would remember that at the last Session the Bill that was introduced provided for the exemption of petrol, but that the exemption was withdrawn pending further consideration of the matter. It had now been decided to reintroduce it. The definition of the words 'india rubber' had become necessary because of an Ordinance passed by the Uganda Government in which they defined more clearly 'india rubber'. It was also necessary to prevent the possibility of wild rubber, which is liable to export duty, being passed out duty free with plantation rubber. The other amendment provided for the exemption of duty of the stores belonging to the Inspector General of the King's African Rifles; a request to that effect having been made by the Secretary of State and it became necessary to legalise it.

THE HON. ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. CHIEF OF CUSTOMS gave notice that he would move the second reading of the Bill at a later stage of the Session.

Loan Ordinance.

THE HON. ACTING CHIEF SECRETARY, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to charge the principal and interest of certain advances made to the Government of the East Africa Protectorate by way of Loan for the construction of certain Public Works upon the General Revenue of the Protectorate." He said that it was with great gratification that we had learnt last year that an advance by way of loan, amounting to £250,000, had been made by the Imperial Treasury to the Government of the East Africa Protectorate for the purpose of providing improved railway communication and harbours in the Protectorate and improved water supply for Mombasa. In accordance with the terms of the Financial Act, 1911, it was necessary to introduce legislation to make provision to authorise the raising of the loan, to prescribe that the monies advanced be applied to the purposes for which the advance was authorised, and to provide for the payment of interest and sinking fund on the loan. The Bill which was now introduced complied with the requirements of the Financial Act, 1911.

THE HON. TREASURER seconded, and the Bill was read a first time.

THE HON. ACTING CHIEF SECRETARY gave notice that he would move the second reading of the Bill at a later stage of the Session.

The Interpretation and General Clauses Ordinance 1912.

THE HON. CROWN ADVOCATE, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "The Interpretation and General Clauses Ordinance, 1912." He said that the reasons for introducing the Bill were stated in the preamble, and the result of the Bill becoming law would be to reduce the length of Ordinances by rendering it possible to omit certain clauses, common to all Ordinances and lengthy interpretations. The Bill was based on laws in force throughout the British Possessions, which laws so far as the interpretation of terms was concerned necessarily varied in different countries, but the general clauses in the Bill were clauses which were in force in England or in Crown Colonies and were such as he would ask Council to accept and pass.

THE HON. ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. CROWN ADVOCATE gave notice that he would move the second reading of the Bill at a later stage of the Session.

The Native Authority Ordinance 1912.

THE HON. ACTING CHIEF SECRETARY, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to make further and better provision in regard to the powers and duties of Native Chiefs, Councils and Headmen recognised or appointed by the Governor, and to provide for the enforcement of Native authority." He said that the policy which was followed in purely Native Reserves, in the East Africa Protectorate was similar to the policy followed in Native Reserves in the other British dependencies in Africa. So long as the natives remained in their primitive state and lived within the boundaries of their Native Reserves, they were governed through their Chiefs, Councils of Elders or Headmen, and according to native law and custom, provided that such native law and custom was not repugnant to morality. It was therefore the duty of the Government to support the authority of the Chiefs, Councils of Elders and Headmen in Native Reserves, and the prestige and influence of the Chiefs were best upheld by letting the peasantry see that Government itself treated them as an integral part of the machinery of the Administration. With that end in view the Native Tribunal Rules were issued last year under the Courts Ordinance, 1907; and Tribal Retainers, who were under the Chiefs and Elders, had taken the place of the ordinary Protectorate Police in Native Reserves. But it had been found necessary to make better provision in regard to the powers and duties of the Chiefs and also to provide for the enforcement of native authority. The Village Headmen's Ordinance 1902 which it was now proposed to repeal did not adequately define those powers and duties nor did it provide for the enforcement of authority—in fact it merely gave power to the Governor to require Headmen to keep order in their villages and to clean the roads of those villages, whilst a headman and his people could only render themselves liable to punishment under the Ordinance if an outrage occurred in their village which might have been prevented by reasonable vigilance on their part.

The powers which it was proposed to give the Headmen were the following:—

To employ persons to assist them in carrying out their duties, to keep order in the limits of their jurisdiction and arrest offenders, to detain stolen stock, to compel the attendance of natives before the Native Tribunals, and to issue orders for certain purposes.

Power was also given under the Ordinance to the officers of the Administration to enforce the authority of the Headmen, to require Headmen to issue orders for certain purposes, to order natives leaving their reserves and settling on Crown lands to return to their reserves, and to punish Headmen when convicted of certain offences.

The Ordinance was a most necessary one, for as matters stood at present it was difficult to keep law and order in the Native Reserves.

THE HON. CROWN ADVOCATE seconded, and the Bill was read a first time.

THE HON. ACTING CHIEF SECRETARY gave notice that he would move the second reading of the Bill at a later stage of the Session.

Appropriation Ordinance 1912-13.

THE PRESIDENT said that the Appropriation Ordinance was at present in the Committee stage, having been read a second time at the Session of 28th November 1911, and the Standing Orders had been suspended in order to permit Hon. Members to debate on the subject seated instead of standing. The Bill would now be discussed in Committee.

THE HON. TREASURER said that every vote was considered and passed at the meeting of 28th November 1911, and it was now proposed to proceed to the report stage and on the 3rd reading to recommit the Bill for certain alterations to be made and the necessary alterations would then be explained. He would therefore ask Council to resume.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

Council resumed, and the Bill was reported to Council with the amendment of Vote 35 Special Expenditure for Magadi £68,500.

THE HON. TREASURER moved that the Bill intituled "An Ordinance to apply a sum of money for the service of the year ending the 31st day of March 1913" be recommitted for the purpose of making certain amendments in the schedule and of inserting a sum in clauses 1 and 3.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. TREASURER said that before proceeding to explain each alteration he would like to read a statement covering the alterations and showing the ways and means of providing the expenditure. He then read the following statement:—

The Estimates of Expenditure for 1912-13 submitted to this Council on 28th November 1911, provided for a total expenditure of £934,408, for, as Honourable Members have to-day been informed on the reporting of the Bill a sum of £68,500, Special Expenditure on account of Magadi, was added in Committee on 28th November 1911 to the sum of £865,908 appearing as the total in the schedule, making an aggregate of £934,408.

2. Certain alterations and additions now proposed, with a statement of which Honourable Members have been supplied, have increased the original expenditure proposed from £934,408 to £957,899; and it would perhaps be convenient to Honourable Members were I to detail such alterations and additions which the Council will be asked to approve.

3. UNDER VOTE 8—PENSIONS.—there is a decrease of £78. This is the figure of the net decrease after deducting £155 the proportion payable by Uganda of the pension of Mr. D. J. Wilson, and the addition of £1 to Mr. Penruddocke's pension found due on final settlement, and of £76 as pension to Mr. R. K. Granville, late 1st Assistant Secretary.

4. TO VOTE 6—PROVINCIAL ADMINISTRATION.—the net increase is £3,040 of this amount £2,440 represents the addition to personal emoluments of the Administrative Staff by the granting of increments to Provincial Commissioners, District Commissioners and Assistant District Commissioners. Honourable Members will recollect that in the Budget Statement laid before this Council on the 28th November 1911, it was mentioned, in paragraph 21, that "for some time past it has been felt that the salaries of the Administrative Staff are not either commensurate with the arduous duties performed, nor are they in proper relation to the salaries paid in other Departments and other Colonies." The statement goes on,—“The Secretary of State some time ago appointed a Committee to consider the assimilation of the civil Services of the Tropical African Colonies and Protectorates”. This Committee made certain recommendations, and it is to adopt these that the Council is now asked to formally approve the increase submitted. I would add that the increases have been sanctioned generally by the Imperial Treasury, and it now only remains for this Honourable Council to approve what, it is believed, all consider to be some acknowledgment for the good work done,—in many cases under trying conditions,—by the Administrative Staff of the Protectorate. These increases, after deletion of four entertainment allowances of £60 per annum to four Provincial Commissioners that now cease, amount, as mentioned above to £2,440. There therefore still remains £600.

An increase of £50 to Mr. Ainsworth's personal allowance, and an addition of £50 as an Entertainment Allowance for the Provincial Commissioner of Seyidie leaves £500, which is the amount transferred from an item of expenditure under Public Works Extraordinary to "Other Charges", "Northern Frontier District" for the purchase of waggons. The transport difficulty is a serious one in that remote part of the Protectorate, and it is hoped that, by a system of waggons and oxen for the Meru to Merille part of the route and baggage camels or camel waggons from Merille to Marsabit, the problem may be solved to some extent.

5. VOTE 8—CUSTOMS.—In this vote an increase of £100 is proposed made up of duty pay of £60 per annum and £40 per annum respectively to the Chief of Customs and to the new appointment of Deputy Chief of Customs. These additions are in order to bring the scales of salary in the Department into accordance with the Tropical African Services Committee's proposals.

6. VOTE 9—PORT AND MARINE.—For the sake of greater efficiency and focussing of Police work under one Department, it has been decided to transfer the Water Police to the Police Department: this will result in a decrease of expenditure under Port and Marine of £532 for Personal Emoluments and of £16 for Uniforms under Other Charges, or a total reduction of expenditure of £548.

7. VOTE 10—AUDIT DEPARTMENT.—A re-arrangement of the Staff of the Audit Department by which instead of six Assistant Auditors there will be one Senior Assistant Auditor and five Assistant Auditors: the alteration of the annual increment of the Auditor from £20 to £25, and the granting of duty pay to the Auditor and Senior Assistant Auditor at the rate of £50 and £40 respectively will cause a net increase of £76 to this vote.

8. The £200 increase on VOTE 11 LEGAL DEPARTMENTS is to permit of duty pay, at rate of £40 per annum, being drawn by five Magistrates. This also is in harmony with the standard scale recommended by the Tropical African Service Committee. A further reason may be adduced in the fact that in the absence of a Magistrate his duties are not infrequently performed by a District Commissioner, who, unless a duty pay is attached to the post of Magistrate, would actually have to do magisterial work at a loss of personal emoluments, for his duty pay as District Commissioner would of course cease in such circumstances.

9. TO VOTE 12—POLICE.—an addition of £437 is proposed. In the remarks above on the subject of the Port and Marine Vote it was stated that, for reasons given, it has been decided to transfer the Water Police to the Police Department: the increase of £437 is due to this cause.

10. While there is no alteration in the total figure of expenditure for VOTE 13 PRISONS.—Honourable Members will observe from the detailed schedule of proposed alterations that the increase of £40 is due to the alteration of a salary and that reduction of £40 in Miscellaneous Stores has been made to meet the increase.

11. Under VOTE 14—MEDICAL.—a decrease of £800 appears. £50 of this is caused by a new appointment being made at a lesser salary than was originally inserted in the draft Estimates. The remainder, £750, is due to a re-arrangement of the basis on which this Protectorate contributes towards the cost of the Sanitary Station at Zanzibar. Hitherto we have paid three-fourths of the cost of upkeep &c. estimated, for the purpose, at £2,000, that means £1,500. From 1st January, 1912 we shall only be liable for three-fourths of the half share of £2,000 or £750.

12. VOTE 15—HOSPITALS AND DISPENSARIES.—The small increase proposed under this vote, £27, is for the Upkeep during the year of an Infectious Diseases Hospital at Mombasa. Sanction was given to the erection of this Hospital late in the financial year 1911-12 on the understanding that it was to be met from savings.

There were difficulties in the way of settling on a site, and it was found impossible to even commence work during 1911-12. It is hoped, however, to be able to arrange for funds, either by savings or re-allocation, to admit of the building being completed during the next few months.

13. VOTE 16—EDUCATION the decrease of £125 is due to sanction not having been given to the new suggested appointment of an Engineering Instructor, who, it was proposed, should facilitate studies in engineering in the railway workshops.

14. VOTE 18—MILITARY.—The net increase of £275 under this vote is caused by the present proportion of one-third of the salaries of the Inspector General and his Staff Officer being increased to half. It must be remembered in this connection that the re-organisation of the military forces in this Protectorate and Nyasaland resulted in a saving of expenditure by East Africa of £3,635, and it is proposed, in view of this re-organisation, that the above proportional increase of salaries be borne by East Africa.

15. IN VOTE 19—MISCELLANEOUS.—it is proposed to insert a new item, Remuneration to Inspecting Engineer of materials for construction of Magadi Railway, and to provide a sum of £337 for such services.

Under the terms of the contract with the Magadi Soda Company provision is made for the inspection of the materials provided by the Company for the purpose of the construction of the branch railway to Magadi. It is obviously to the advantage of this Government, seeing that ultimately the Magadi branch railway can be taken over by the Uganda Railway, to take all necessary and usual precautions to ensure good materials being supplied in the first instance, and a comparatively small expenditure at this stage may obviate additional expenditure in the future.

16. THE VOTE 21—POST OFFICE AND TELEGRAPHS.—has been re-cast due to the amalgamation of the Postal and Telegraph Departments, a step which it is confidently believed will lead to greater smoothness of working, an increase in the efficiency of the hitherto separated Departments, and in a still more improved service to the public. The only addition to expenditure arising out of the amalgamation is £10, due to an increase in the rate of the annual increment drawn by Mr. Creighton, Telegraph Engineer, from £10 to £20.

17. VOTE 22—RAILWAY DEPARTMENT.—The decrease here of £7,500 is merely a cross transaction between Railway expenditure and Railway Revenue. Hitherto the sums representing cost of Carriage of Revenue Stores have been charged to expenditure and equivalent sums credited to Revenue. The total

sum involved on both sides being estimated at £7,500. Honourable Members will recognise that such transactions unduly inflate both expenditure and revenue, and it was considered desirable to delete the sum of £7,500 from both Railway expenditure and Railway Revenue.

18. VOTE 22a—RAILWAY SPECIAL EXPENDITURE.—To complete the programme providing for Lake Steamers, urgently called for by the rapidly increasing demands for transport of cotton and produce from Uganda, an amount of £28,000 is required in addition to the £13,000 that had already been inserted. It will be in the recollection of the Council that a sum of £20,000 was sanctioned in 1911-12 out of surplus balances for the purchase of a cargo steamer. It was found impossible to get what was required for the sum mentioned, and under these circumstances it was decided to proceed with the oil fuel installation instead, and a sum of £6,000 was earmarked out of the £20,000 for this service. The orders for the cargo steamer, to cost £27,300 and Steam Tug to cost £11,920 have been placed, and the Secretary of State informed the Crown Agents on the 27th February last that no effort should be spared to secure adherence to the prescribed dates of delivery as the vessels are urgently required. Honourable Members would perhaps be interested to know that the cargo steamer is to be named the "Usoga" and the tug "Kavirondo".

18. UNDER VOTE 28—LAND OFFICE.—a net addition of £40 is proposed. This is caused by an increase in the emoluments and House Allowance of the Assistant Land Officer who has now been placed on a scale of £400 by £20 to £500 with duty pay of £40. A slight modification in the original provision for the items Office Expenses and Transport has been made to allow of the purchase of a special kind of Typewriter required to complete the card system for correspondence.

20. There is no change proposed in the total of the PUBLIC WORKS EXTRAORDINARY VOTE 31, though there are some slight modifications in the original items.

In the remarks under Provincial Administration it was mentioned that a sum of £500 had been transferred from Public Works Extraordinary to the Other Charges subhead of the Northern Frontier District, and that £500 is Public Works Extraordinary—item Improvements on lines of communication, Northern Frontier District. It is intended to make provision for the following urgent services:—

(1) Clerk's House at Machakos	£200
(2) New Office at Kipini	£100
(3) New Gaol at Kipini	£100

and (4) under Miscellaneous an increase of £100 for the Electric Light Installation in Government Buildings at Mombasa. The first three items will be met from a portion of the sum saved by the decrease of our contribution to the upkeep of the Sanitary Station at Zanzibar, to which reference has already been made; the last named item is covered by the saving effected by the transfer of the Water Police to the Police Department, which also has been mentioned above. A sum of £63 has also been transferred from Minor Works (item Police Sub-Station Mombasa) to Petty Works.

21. I have now detailed all the proposed alterations in the totals of the different Expenditure Votes.

22. The net addition to the original draft Estimates, due to the above amendments, comes to £25,491, and that sum added to £934,408 the total of the schedule to the Appropriation Bill, makes £957,899, a sum which Honourable Members will in due course be asked to insert in the Bill.

23. I would now turn for a moment to ways and means. When the 1912-13 Estimates were last before Council our then estimated expenditure was £934,408, and it was proposed that this amount should be met (1) from Revenue as to £788,184, (2) from Imperial Grant-in-Aid £65,000 (3) from Special Grant-in-Aid for Magadi £68,500, (4) £11,714 from Surplus balances and (5) Remaneq £1,010, leaving us with an estimated surplus balance of £152,104 on the 31st March, 1913. Honourable Members will agree that the reason for an Imperial Grant-in-Aid for ordinary expenditure can only be justified on the grounds of affording a reasonable working balance, and in view of the state of our finances we could hardly, with any justification of reason, look for a continuance in 1912-13 of a Grant-in-Aid while retaining such a large balance. It has therefore been decided not to ask the Imperial Parliament for any ordinary Grant-in-Aid for this Protectorate for 1912-13, but a sum of £23,500 will be given on account of the second instalment of the grant for special expenditure

on Railway rolling stock to cope with the increased traffic attendant on the Lake Magadi project. These decisions naturally result in a decrease of £110,000 on our previously estimated surplus balance of £152,104 on 31st March, 1913, the proposed net increase to expenditure (mainly due to the £28,000 for what may properly be termed remunerative expenditure in the shape of Lake Steamers) amounts to £23,491; there is also the reduction in 1912-13 estimated revenue of the sum of £7,500, referred to above in the remarks on Vote 22 Railway, so that on these figures our surplus balance on 31st March 1913 will be £11,113, as shown hereunder:—

Estimated surplus balance on 31st March 1912	... £164,828	Estimated Expenditure 1912-13	... £ 957,899
Estimated Revenue 1912-13	... „ 780,684	Balance on 31st March 1913	... „ 11,113
Special Grant-in-Aid for Magadi...	... „ 23,500		
	<u>£969,012</u>		<u>£969,012</u>

But additions to the revised estimate of revenue receipts and further savings on expenditure for 1911-12 may be expected and though I am unable, through being bound down to previously estimated figures to show a larger surplus balance than £11,113 as on 31st March 1913, yet I may perhaps be permitted to indulge in the hope that the actual surplus on the close of the financial year ended on 31st March last will come out at £250,000 instead of £164,828: if that hope be realised and everything points to it being so it would mean a potential addition of £85,172 to our surplus on 31st March, 1913, or a total of £96,285.

24. The present and future prospects, so far as revenue receipts go, are steady at good: there is no reason to assume for a moment that the partial and temporary withdrawal of the generous financial assistance hitherto given us by the Imperial Treasury will result in anything more than increased vigilance over expenditure.

VOTE 6 (PROVINCIAL ADMINISTRATION.)

THE HON. T. A. WOOD referring to this item, said that he would like to make a few remarks. It was quite possible that he held peculiar views on the subject but he felt it is duty to say what he thought. The increase of salaries only provided for one branch of the administration and there would still be dissatisfaction in the subordinate staff as they next would be wanting an increase. He considered that the principle under which Government was working was wrong. A. D. Cs. started at £250 a year, plus sundry emoluments which he did not consider it necessary to detail, and it seemed to him that these gentlemen were not worth that to Government for some years. He entirely agreed with the principle of giving an increase in pay after each year of service but he thought Government ought to recognise that it would be sound policy to commence on a lower scale. After all a salary of £250 was not such as was experienced in other parts of the world, and in his opinion it was too high. He noticed that there was still no provision made for the subordinate branch of the Service which was, in many instances, equally entitled to an increase in pay.

THE PRESIDENT said he thought the Honourable Member must have overlooked the fact that a year or two ago an incremental scale of salary for the clerical staff had been introduced. Their position had been improved, and instead of starting at the top, as the Honourable Member said had been done, had started from the bottom. The clerical staff had been put on an incremental scale, and now the superior staff was being dealt with gradually. As regards what the Honourable Member had said, that he considered that a new administrative officer was not worth £250 to Government, he could assure the Honourable Member that, even with the salary at present offered Government had great difficulty in securing the right stamp of officer to fill these posts. High educational qualifications were necessary, and for that reason alone it was necessary to offer that commencing salary to that grade of officer, and he thought he might say that it compared not highly with the salaries paid in the case of Eastern Cadetships, the Indian Civil Service, and other Colonies and Protectorates.

VOTE 18 (MILITARY.)

THE HON. T. A. WOOD, in reference to this item, asked whether Uganda contributed anything to the Inspector General. He did not quite follow why the East Africa Protectorate was mulcted in half.

THE PRESIDENT said that, as Hon. Members were no doubt aware, the military forces in the Somaliland Protectorate had been very considerably reduced, and as far as he knew the garrison at present there consisted merely of an Indian contingent. With the decrease in the number of troops in the other Protectorates it necessarily followed that the proportion payable by the East Africa Protectorate became larger. He was satisfied that the proportion now being paid was not out of proportion.

VOTE 21 (POST OFFICE AND TELEGRAPHS.)

THE HON. T. A. WOOD, referring to this item, said that he wished to call attention to the very grievous position of the commercial community of East Africa in respect of the over-seas mail. He did not propose to vote against the item but he hoped something would be done in future to relieve the present state of affairs under which mails arrived in a congested heap usually about the end of each month thereby causing much inconvenience. Under the present arrangement a business man sometimes received 3 or 4 bills on one day which had to be met at once instead of their arriving at regular intervals. It seemed to him that they were paying a subsidy and getting nothing for it. He failed to see why some better arrangement could not be introduced. He considered that steamers would be very pleased to carry mails as ordinary cargo and possibly the price would be less than the present subsidy being paid for a service once a month. He thought that the position might be improved if the mails could be sent to Aden by regular P. & O. steamers and to Mombasa by any^a Steamer calling at both ports.

THE PRESIDENT said that the subsidy to which the Hon. Member referred was a charge not against the East Africa Protectorate but against the Imperial Government and was paid by the General Post Office to British India for maintaining a regular service between India and Zanzibar but in addition to the ordinary service every ship which called at Aden could, and he believed in most cases did, carry mails and bounties were provided for the steamers which carried these mails. He might say that Government was fully aware of the inconvenience caused under the present system of mails and that the Post Master General who was proceeding on leave that day was to see whether it would not be possible to come to some arrangement whereby the arrival of British mails might be divided into more equitable portions than at present.

VOTE 22a (RAILWAY DEPT. SPECIAL EXPENDITURE.)

THE HON. P. G. DICKINSON, referring to this item, asked whether the oil was to be used as coal for the oil engines of the new boats.

THE HON. C. T. SANDIFORD, in reply, said that the oil was to be used in substitution of wood. The use of oil in internal combustion engines was almost new afloat. Very few steamers up to the present had introduced the system but the substitution of oil for coal or wood was common enough. It was proposed to substitute oil for wood on the present steamers and the two new steamers coming out would both be provided with oil burning apparatus.

THE HON. P. G. DICKINSON said that the use of oil in internal combustion engines had been tried on steamers up to 5,000 tons, and had been found to be a great success.

THE HON. C. T. SANDIFORD said that he believed there were only two ocean steamers in existence worked on that system.

THE HON. TREASURER moved that the figure £957,899 be inserted in clauses 1 and 3 of the Bill.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. CROWN ADVOCATE moved that in clause 4 the figures 13 at the foot of the bill be deleted.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The Council Resumed its sitting.

THE HON. TREASURER reported the Bill as amended to Council, and moved that it be read a third time.

THE HON. ACTING CHIEF SECRETARY seconded.

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

Weights and Measures Ordinance, 1911.

THE HON. CROWN ADVOCATE said that on His Excellency's instructions the Bill intituled, "The East Africa Weights and Measures Ordinance, 1911" had been returned to Council. The Bill, since it had been passed by Council, was placed before the Board of Trades Union who had made recommendations as to how the Bill might be improved. The Bill was now returned under His Excellency's instructions for consideration of the amendments, copies of which were laid before Hon. Members. He accordingly moved that Council go into Committee to consider the proposed amendments.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

IN COMMITTEE.

The Bill was read clause by clause, and it was agreed to make the following amendments:—

- Clause 1 Delete "1911" and substitute "1912."
- Clause 6 In line 5 delete "of" before "any" and substitute "or."
- Clause 10 Between "Measures" and "Act" insert "(Metric System)."
- Clause 14 In line 2 "standard department" should read "Standards Department."
- Clause 15 In line 1 after "made or had" insert "in the Protectorate."
- In line 6 after "shall be void" insert "provided that a Court may, in exceptional circumstances in the interests of justice, direct that a person who has received an advantage under such contract, bargain, sale, or dealing, so declared to be void shall restore it or make compensation for it to the person from whom he received it."
- In line 7 delete "the" and substitute "or."
- Clause 16 At end of para (2) delete "weight" and substitute "weights or measures lawfully in use for the time being in England."
- Clause 20 In line 1 insert "a" before "Protectorate."
- In line 2 "stricken" to read "stricken."
- Clause 25 (1) To become Clause 25.
- Clause 25 (2) To become Clause 26.
- At the beginning of the Clause insert "Subject to the provisions of Section 2 of this Ordinance."
- Clause 26 Delete.
- Clause 29 Delete and substitute:
 "29. Any weight or measure which shall be in accordance with the Standard weight or measure which it represents and any weighing machine, weight or measure which shall not have a greater error than the limits of error prescribed under the provisions of this Ordinance shall be deemed to be just and true for all the purposes of this Ordinance."
- Clause 42 Delete.
- Clause 43-52 both inclusive To be renumbered.
- Clause 51 At the end of Sub-section (3) add:
 "Provided that the provisions of Chapter XIII of the Indian Penal Code shall cease to apply in every case where the provisions of this Ordinance dealing with the same offences are in force."
- Clause 52 After para (1) insert new paras as follows;—
 (2) Standards of weights and measures of denominations other than those contained in this Ordinance.
 (3) Penalties, not exceeding a fine of one hundred and fifty rupees, for the breach or attempted breach of any Rule."
 Para (2) becomes para (4).
 Add at end:
 (d) the limits of error to be allowed on verification and to be tolerated on inspection either generally or as respects any trade; and
 (e) generally for the better carrying into effect any of the purposes of this Ordinance."
- Schedule A "Hundred-weights" should read "hundredweight" and "Quarter" should read "Quarter Hundredweight."
- Schedule C "Protectorate" to be substituted for "Imperial" in the heading.
- Schedule D "Chain to read "Chain (100 links)."

Measures of Length.

Delete "to parts of one-eighth part of an inch" and substitute "into feet and inches throughout, the end inches being divided into eighths, tenths, and twelfths of an inch respectively."

Measures of Avoirdupois Weights

Delete "One hundred and twelve pounds, or a hundred-weight."

Before "An ounce," insert "Two ounces," and after "One fourth of an ounce." insert "Two drams. One dram. Half a dram."

Measures of Capacity.

Add at end "Half a gill. One quarter of a gill."

The Council Resumed its Sitting.

THE HON. CROWN ADVOCATE moved that the Bill as amended be reported to Council.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

REPORT OF SPECIAL COMMITTEE ON PRISONS ORDINANCE.

THE HON. CROWN ADVOCATE read the following Report of the Special Committee appointed to consider and report on the Bill intituled "An Ordinance to make further and better provision for the organization of the Prisons Staff and the management of Prisons":—

REPORT.

OF THE SPECIAL COMMITTEE OF THE LEGISLATIVE COUNCIL APPOINTED TO CONSIDER AND REPORT ON THE BILL INTITULED "AN ORDINANCE TO MAKE FURTHER AND BETTER PROVISION FOR THE ORGANIZATION OF THE PRISONS STAFF AND THE MANAGEMENT OF PRISONS."

The Special Committee consider that the changes in the organization of the Prisons Department proposed by this Bill would effect a distinct improvement in that Department, and recommends to the Council that the general principles of this Bill be approved.

The Committee having considered the provisions of the Bill in detail, and having had the advantage of hearing the Inspector General of Police and Prisons, and the Honourable Mr. Hobley, considers that modifications and alterations in, and additions to the Bill will be necessary in order to ensure that a satisfactory and workable Ordinance be substituted for that now in force.

As the amendments which the Committee recommends are numerous and, in the opinion of the Committee, essential, the Committee considers that the convenience of the Council would be best met if His Excellency would allow the Bill to be withdrawn, and another Bill to be introduced at the next meeting of the Council.

Nairobi,
27th May, 1912.

R. M. COMBE,
Chairman.

He moved that the Report be adopted:

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

Sales by Auction Ordinance.

THE HON. CROWN ADVOCATE moved that the Bill intituled "An Ordinance to regulate Sales by Auction" be read a second time.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. CROWN ADVOCATE moved that the Bill be referred to a Special Committee consisting of the Hon. Treasurer (Chairman), the Hon. Land Officer the Hon. Mr. B. G. Allen, the Hon. Mr. T. A. Wood, and himself.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

East Africa Police Amendment Ordinance.

THE HON. CROWN ADVOCATE moved that the Bill be read a second time.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

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

IN COMMITTEE.

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

The Council Resumed its Sitting.

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

THE HON. ACTING CHIEF SECRETARY seconded.

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

Loan Ordinance.

THE HON. ACTING CHIEF SECRETARY moved that the Bill intituled "An Ordinance to charge the principal and interest of certain advances made to the Government of the East Africa Protectorate by way of loan for the construction of certain Public Works upon the General Revenue of the Protectorate" be read a second time.

THE HON. CROWN ADVOCATE seconded.

The question was put and carried.

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

IN COMMITTEE.

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

The Council Resumed its Sitting.

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

THE HON. CROWN ADVOCATE seconded.

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

King's African Rifles Ordinance 1912.

THE HON. ACTING CHIEF SECRETARY moved that the Bill intituled "The King's African Rifles Ordinance, 1912" be read a second time.

THE HON. CROWN ADVOCATE seconded.

The question was put and carried.

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

IN COMMITTEE.

The Bill was read clause by clause, and the following amendments were agreed to:—

THE HON. MR. T. A. WOOD, referring to clause 5 said it did not appear clear to him why the East Africa Protectorate was charged with a portion of the defence of the East Africa, Uganda, and Somaliland Protectorates. Was it understood that if our troops went from this Protectorate to another, that their pay would be a charge against the East Africa Protectorate?

THE PRESIDENT, in reply, said that the procedure was that the troops were generally interchangeable and that the Protectorate on the estimates of which the cost of any company was borne, continued to bear that cost whether the troops were employed outside the Protectorate or not. If the East Africa Protectorate had occasion to borrow troops from, say Uganda, the East Africa Protectorate only had to meet the expenditure that did not appear on the Uganda Estimates.

THE HON. T. A. WOOD, referring to clause 50, asked whether the wording of this clause was perfectly sound, that in the absence of a Medical Officer a European Officer of the Protectorate Government had power to inspect the sentences of corporal punishment being carried out. He thought the only point in this clause was to have an efficient man superintending to see that no permanent harm was done to anyone who was incapable of taking the punishment. It rather struck him that an ordinary official had not got the medical knowledge necessary.

THE HON. CROWN ADVOCATE said that the provision in the present law was also extended to punishment awarded by a civil court. The same provision was also made in the Police and Prison Laws. It was not always possible that at outpost, or outstations a medical officer could attend every case of flogging.

This clause provided that an Officer other than the authority who awarded the punishment should be present to supervise the flogging where no Medical Officer was available.

The Council Resumed its Sitting.

THE HON. ACTING CHIEF SECRETARY reported the Bill as amended to Council and gave notice that he would move the third reading on the following day.
(The Council Adjourned until the 28th, May.)

(SECOND DAY)

The Council assembled on the 28th May, at 10 a.m., HIS EXCELLENCY THE ACTING GOVERNOR (C. C. BOWING, C.M.G.) presiding.

Present:—

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT (A. C. HOLLIS, C.M.G.).

THE HON. THE TREASURER (H. A. SMALLWOOD).

THE HON. THE ATTORNEY GENERAL (R. M. COMBE)

THE HON. THE ACTING MANAGER OF THE UGANDA RAILWAY (C. T. SANDIFORD, C.B.).

THE HON. CHIEF OF CUSTOMS (F. W. MAJOR, I.S.O.).

THE HON. C. W. HOBLEY, C.M.G..

THE HON. R. BARTON WRIGHT.

THE HON. T. A. WOOD.

THE HON. DR. A. E. ATKINSON.

THE HON. B. G. ALLEN.

THE HON. P. G. DICKINSON.

THE HON. G. ST. JOHN MILDMAY.

Customs Tariff Amendment Ordinance.

THE HON. CHIEF OF CUSTOMS moved that the Bill intituled "An Ordinance to amend the Customs Tariff Ordinance 1909" be read a second time.

THE HON. CROWN ADVOCATE seconded.

The question was put and carried.

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

IN COMMITTEE.

The Bill was read clause by clause, and the following amendments were agreed to:—

Clauses 3 and 4 were deleted and a new clause 3 was inserted as follows:—

3. From and after the publication of this Ordinance, the Table of Exemptions from Import Duties set out in the Principal Ordinance shall be varied by adding thereto the following:—

31. Petrol.

Any petrol lying on the Customs premises or in Customs warehouses on the date of the publication of this Ordinance shall be exempt from Import Duty.

32. The luggage equipment and stores imported by the Inspector General, King's African Rifles or his Staff Officer for the use of the said Officers or either of them whilst travelling on duty.

33. Machinery, plant, materials and rolling stock, when imported or purchased prior to clearing through the Customs by the Magadi Company for the purpose of the construction or the initial equipment of the Magadi Railway or the Magadi Company's port.

THE HON. DR. A. E. ATKINSON referring to clause 3 of the Bill said that he failed to discover any sufficient reason at present for exempting petrol. Up to the present, he believed, a duty of 10% *ad valorem* was charged on all goods with the exception only of industrial and agricultural machinery and Railway material. It was now proposed to make an additional exception of petrol, and he could only suppose that it was to favor the use of petrol for industrial purposes as tractors, which industry was at the present time very small indeed. If they wanted to make exceptions he thought there were other things that had a greater claim to exemption than petrol. While bicycles, sewing machines, and typewriters were being taxed, he did not think it was fair to exempt petrol. These things, to his mind, should be exempted first.

It might be that a considerable amount of petrol was used for articles of luxury, and he knew it was reported that in East Africa there was no such thing as a pleasure machine, and that people did not go motoring to amuse themselves but merely on business. Unless some better reason could be given he felt it his duty to vote against the item.

THE HON. T. A. WOOD said he had much pleasure in supporting the Hon. Dr. Atkinson. He quite agreed with the Hon. Doctor that there were many things requiring exemption of duty before petrol and that the best way out of the difficulty was for the Railway to reduce their rate from 2nd to 1st class as used to be the case. If that were done it would mean a saving of about 16 cents per gallon.

THE HON. CHIEF OF CUSTOMS in reply, said that the matter of exemption of petrol had been considered by the Government and therefore he could only refer Hon. Members to the Acting Chief Secretary in the matter. He would point out however that the Hon. Dr. Atkinson was not quite right in stating that the exemptions had been limited entirely to industrial and agricultural machinery because the list of exemptions also included such articles as ships and vessels imported entire or in sections, photographs, engravings, pictures, manures, printed matter, &c. There were a number of things outside agricultural and Industrial machinery that were exempt at present.

THE HON. P. G. DICKINSON said that, with regard to the farmers' point of view, he thought that all farmers would be pleased to have anything taken off the price of petrol. It made a great difference to the farmers if they could get into Nairobi in one day instead of three.

THE HON. ACTING CHIEF SECRETARY said that when the Customs Amendment Ordinance, 1912, was introduced it was proposed to exempt petrol but owing to certain representations which had been made to His Excellency Sir Percy Girouard, it was decided to withdraw the proposal until he could communicate with Uganda. In Uganda, petrol had already been exempted. It was used very largely as a means of transport. Roads had been opened up all over the country and motors were very largely used for transporting materials, stores, people, &c., and they had, he thought, done wisely in making petrol free of duty. As petrol had been exempted in Uganda it was thought advisable to exempt it also in East Africa, especially as certain farmers had made representations to the Government that it would be a great saving of labour if they could use machinery worked by petrol. On the Uasin Gishu Plateau, for instance, there was a great dearth of labour; all labour had to be introduced; and very often ploughing operations had to be postponed because there was not a sufficient supply of labour. If petrol were used, the number of labourers required would be far less than at present. It was therefore considered by Government that it would be advisable to relax the Customs duty as far as petrol was concerned. As the Hon. Dr. Atkinson had himself pointed out, motor cars could hardly be considered a luxury because they were used as a means of transport, and it was probable that as the country was opened up and better roads were made, more motor cars would be used to take people and stores from one place to another. He therefore recommended that the item should remain in the Bill.

THE HON. B. G. ALLEN said he had great pleasure in supporting the proposal to exempt petrol from duty. He could not conceive anything more calculated to advance industrial and agricultural progress than the removal of this duty. He thought the amount of petrol to be used for these purposes would increase yearly if not monthly.

THE PRESIDENT asked the Hon. Acting Manager of the Uganda Railway whether, in addition to the exemption of petrol from duty, the question of the freight on petrol could be reconsidered provided it appeared to the satisfaction of the Governor it was to be used in general development.

THE HON. C. T. SANDIFORD said it appeared to be a case of taking it out of one pocket and putting it into another to take it off the Customs and put it on the Railway. He thought it was one of those items on which freight could reasonably be reduced. It was an expensive commodity which could bear it.

THE PRESIDENT said he gathered that the rate charged by the Railway was more in the nature of a "dangerous goods" rate.

THE HON. C. T. SANDIFORD said that was the case, petrol being as risky to carry as gunpowder.

THE HON. DR. ATKINSON asked whether it would not be possible to reduce the rate for petrol carried in quantities. It was dangerous to mix it with other goods and if there was a full wagon load the risk would be minimised.

THE HON. C. T. SANDIFORD said that they had unfortunately to take goods as they were offered, and could not always keep goods waiting for a full load.

THE PRESIDENT said that after careful enquiries since the last meeting of Council, Government had come to the conclusion that petrol was a valuable aid in the development of land and as such should be imported as cheaply as possible.

THE HON. DR. ATKINSON asked whether if this were done Government would be prepared to go a step further and exempt kerosine oil, as industrial machinery was brought into the country to use that commodity.

THE PRESIDENT said that such a contingency could be considered when it arose.

THE HON. T. A. WOOD said that there was one point which had been raised by the Hon. Acting Manager of the Uganda Railway. He (Mr. Sandiford) had said that the Railway had to take the goods as they came along. Under the regulations at the Coast, Tuesday was the only day on which these goods could be loaded, and special trucks were reserved for kerosine and petrol. As far as he (the speaker) knew it never came up to Nairobi in any other way. There was certainly one truck load to Nairobi every week and probably more. They should get the absolute minimum rate.

THE PRESIDENT pointed out that this was only a side issue.

THE HON. DR. ATKINSON then moved an amendment to the effect that petrol be deleted from clause 3 of the Bill.

THE HON. T. A. WOOD seconded.

The amendment was lost by 10 votes to 2.

THE HON. CHIEF OF CUSTOMS in moving that the new clause 3 be added, said that no petrol was permitted to be stored in bond; the duty had to be paid at the time of landing but the petrol was then permitted to be stored in Customs Petroleum Warehouses, not Bonded Warehouses. It was therefore necessary to insert the words "on the Customs premises" instead of "in bond". It also became necessary to legalise the contract made with the Magadi Company, with the approval of the Secretary of State, viz: to obtain legislative sanction to the exemption and thus put the goods of the Company on the same footing as goods imported by Government or purchased by Government.

THE HON. T. A. WOOD said that there was one point what he would like to raise in reference to the matter which was hardly a trivial one. From his present experience he could assure Hon. Members that if this clause passed it meant a 10% premium against local commercial organisation. If they allowed them (the Magadi Company) a rebate, or rather to bring in goods free from duty provided they imported themselves or purchased in the Customs, it meant naturally that they would try all they could to import direct and the local merchant would have to look somewhere else for his business.

He had already advocated that local firms industrial or commercial were entitled to as large a business as possible and he did not like voting for a measure which penalised any section of the community in the East Africa Protectorate, if it could possibly be avoided. The Magadi Company made considerable local purchases, whether they would be forced to do so remained to be seen. Would it not be possible for them to get a rebate just as local merchants ought to be able to get a rebate on goods sold to Government. That was not the case at present, stores, &c., carrying a duty of 10% purchased by Government meant a premium against the local commercial element.

THE HON. CHIEF OF CUSTOMS said that he was afraid he could not follow the Hon. Member's argument. The provision had been put in specially to allow of local merchants selling goods duty free to the Magadi Company just as they could at present sell to the Government. But there must be a contract before importation or clearance through the Customs. To do otherwise, would, he felt confident, lead to abuses.

The Council Resumed its Sitting.

THE HON. CHIEF OF CUSTOMS reported the Bill as amended to Council and gave notice that he would move the third reading on the following day.

Small-pox Ordinance.

THE HON. ACTING CHIEF SECRETARY moved that the Bill intituled "an Ordinance to make further and better provision for the prevention of the spread of Small-pox" be read a second time.

THE HON. CROWN ADVOCATE seconded.

The question was put and carried.

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

IN COMMITTEE.

The Bill was read clause by clause and adopted with the following amendments:—

THE HON. DR. A. E. ATKINSON in moving that the word "Customs" be deleted from sub-section (2) of clause 3, said that it was not on account of Asiatics domiciled in the country to allow certain exemptions on the score of religion but he thought that the term "Custom" was far too wide and that it would cover almost anything. He asked therefore whether it would not be well to delete the word.

THE HON. CROWN ADVOCATE agreed. He said that all that was required was that the religious feelings should be considered and that vaccination should not be enforced in the case of Hindus and others who objected on religious grounds.

THE HON. T. A. WOOD referring to clause 8, asked whether it was right that they should give a public officer the right to enter any house between the hours of 6 in the morning and 6 in the evening on any day except Sunday. And what did Sunday mean? did it mean the Sunday of the Jew? He personally would not agree to that because he had had occasion before to object to giving this right to a public officer, when certain mosquito rules were being considered.

THE PRESIDENT said that the power was given subject to certain restrictions prescribed, and he thought the Hon. Member could leave that to Government. It was a very necessary provision to make.

THE HON. B. G. ALLEN said there was one point in regard to para 8, somewhat similar to the one raised by the Hon. T. A. Wood, where power was given to the vaccinator to force his way into the quarters of secluded women belonging to Indians. It might give rise to very considerable trouble and he would like to ask whether some restriction should not be put either in this Bill or, if it were thought better, in the regulations under the Bill.

THE HON. CROWN ADVOCATE said that the Bill did not make any special restriction in the case of houses or rooms occupied by secluded women. It had been considered advisable that powers to make all necessary and proper restriction should be reserved to the Governor. He would, as suggested, make a note to the effect that any restrictions which might be issued under clause 8, should include a restriction prohibiting a vaccinator from entering such houses.

THE HON. B. G. ALLEN said that his idea was that if it were necessary for a vaccinator to enter those parts of the building it might be made in the presence of a male member of the household.

THE HON. T. A. WOOD said he would like to ask whether the Hon. Crown Advocate would make some provision in regard to Sunday. He thought if it was objectionable to enter the house of a Christian on a Sunday, the day observed as such by other people should be recognized.

THE HON. G. ST. J. MILDMAY said that in view of the difficulty which had been raised he would like to move an amendment to the effect that the words "except Sunday" be omitted.

THE HON. T. A. WOOD seconded.

THE HON. CROWN ADVOCATE said there was no objection to the amendment. It was, however, usual in all similar provisions to include Sundays.

THE HON. DR. A. E. ATKINSON, referring to clause 13, said that power was only given for compulsory vaccination in case of smallpox on board a ship. Supposing a ship came into Mombasa harbour and smallpox existed in Mombasa the people would have to be vaccinated before leaving the ship. He asked whether some clause could not be introduced compelling all persons to be vaccinated there and then.

THE PRESIDENT said that he would consult his advisers on the matter.

The Council Resumed its Sitting.

THE HON. ACTING CHIEF SECRETARY reported the Bill as amended to Council and gave notice that he would move the third reading at a later stage of the Session.

Wattle Bark Industry Ordinance.

THE HON. CROWN ADVOCATE moved that the Bill intituled "An Ordinance to make provision for the protection of the Wattle Bark Industry" be read a second time.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

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

IN COMMITTEE.

The Bill was read clause by clause and adopted with the following amendments:--

THE HON. G. ST. J. MILDMAY said he would like to ask the Hon. Crown Advocate if he would agree to amend the Bill in such a way that it might cover the Sisal industry. There were some sisal industries which had already begun to export and others would shortly be beginning to do so. He had seen many of the men who were planting sisal and all whom he met were in favor of the industry being protected in the same way as the Wattle Bark industry. The planter exporting regularly was very strongly in favour of it and hoped that Government would see its way to do it. It would only be a case of including the word "sisal" with "Wattle Bark" in the title and in the first section and also in clause 4. If the Hon. Crown Advocate would agree to that, he would move an amendment that the Ordinance be altered accordingly.

THE HON. CROWN ADVOCATE said he regretted that the request could not be acceded to. He did not consider that the amendment proposed was a proper amendment to the proposed Ordinance. An amendment to the Bill must be some alteration in the provisions of the Bill as introduced before Council. Matters entirely outside the purpose of the Bill should not be introduced as an amendment to it. It was a matter which could be considered by Government as to whether or not it was desirable to regulate the sisal and other industries, and if it was considered necessary a Bill might be introduced later.

THE HON. G. ST. J. MILDMAY then withdrew his amendment.

THE HON. T. A. WOOD said if they passed this Ordinance, an Ordinance for the protection of the Sisal industry would be required at a later stage and there were numerous other industries in East Africa which would all want protection. It seemed to him less cumbersome to have one Ordinance for the protection of local industries and to have each branch worked under rules under that Ordinance.

THE PRESIDENT asked the Hon. Mr. Wood whether he understood him to mean that Government should withdraw the Bill.

THE HON. T. A. WOOD replied in the affirmative. He did not know however that the sisal industry required special protection.

THE HON. ACTING CHIEF SECRETARY said that it would surely be unwise to withdraw the Bill and wait until they could ascertain what other industries in the Protectorate required protection. If the Bill were withdrawn on this account it might never become law. There was one industry in the country which they had reason to believe would be successful and that was the wattle bark industry, and the Bill was very necessary in order to protect that industry. If sisal planters would report to Government what they required in the way of protection the matter would be considered, and if necessary, as stated by the Hon. Crown Advocate, a Bill would be introduced to protect that industry also. In the meantime he thought the Wattle Bark Industry Ordinance had better be enacted.

THE PRESIDENT said that he quite agreed with what the Hon. Acting Chief Secretary had said. It would be a great pity to postpone the Bill and not protect the Wattle Bark industry. He said that Government would give its attention to the question of protecting other industries if necessary.

THE HON. T. A. WOOD said he would withdraw with pleasure. He strongly supported the Bill and he believed he was one of the first to destroy specimens of the silver wattle tree. His opinion, however, was that the country was getting too much legislation.

THE HON. B. G. ALLEN said that as far as he had been able to go into the Bill it appeared that it only made provision for the destruction of that particular class of tree planted or grown after the coming into operation of the Bill. If they concurred in that, he would like to ask the Hon. Member who had charge of the Bill whether it was not advisable to strengthen it by making provision for the destruction of trees planted previously. He understood that it was the mature trees that were the danger.

THE HON. CROWN ADVOCATE said that the Hon. Director of Agriculture had expressed a wish that the Ordinance should give the right to enter on any premises and to destroy trees whenever planted. He had advised the Director of Agriculture that such a provision could not properly be made as there were cases where the trees had been planted as a screen for the protection of coffee plantations, and it would be most improper to give the Director of Agriculture power to go on to a man's land to destroy these screens without giving him compensation, and an opportunity and time to replace them by some other screen. It was suggested that compensation should be paid by Government. He had advised that compensation should not be paid by Government but by the man asking for the destruction of the trees. If it was found that the owners of trees already planted would not destroy such trees, when offered reasonable compensation and given time to replace the trees by other efficient screen, the question of giving legal authority for the compulsory destruction of trees could be considered.

THE HON. G. ST. J. MILDMAJ, in moving that in clause 4 sub-section (I) the word "controlling" be substituted for the word "prohibiting" said that he did not believe for one moment that Government proposed in that case to prohibit the export of Wattle Bark even if not of the quality which would merit the Government stamp, but he thought that supposing some one wanted to export Wattle Bark of a rather inferior quality, and supposing he did not care to have the Government brand put upon it, it should not be necessary to submit it for inspection. He thought the object of the clause would be attained by substituting the word "controlling" and this would not prohibit the export of bark unless it had the approval of Government.

THE HON. CHIEF OF CUSTOMS said he thought the objection was covered by the provision for the grading of bark.

THE HON. T. A. WOOD seconded the Hon. Mr. Mildmay's proposal. He did not think Government ought to prohibit the export of inferior Wattle Bark. Buyers would soon recognise the bark branded by Government and surely the industry should not be crushed.

THE HON. CROWN ADVOCATE said that such was not the effect of the provision which merely required that the bark should be submitted for inspection. Under rules made for the purposes of para. 2, the prescribed officer could brand it as Wattle of some specified quality or if of very inferior quality might refuse to brand it at all. He would point out that the amendment suggested would give the Governor very much wider powers in controlling the export of Wattle Bark, than it was proposed should be allowed under the Bill as introduced. The provision gave effect to the wishes expressed by Wattle Bark growers and conveyed to the Hon. Director of Agriculture. It did not enable the Government Officer to prohibit the export of any bark, however, inferior in quality.

THE HON. G. ST. J. MILDMAJ said his contention was that the inferior quality might be put to some new use as buyers did not wish to pay fees for having a sample inspected when they did not want the Government brand. If a man did not want the Government brand why should he pay for having it inspected.

THE HON. B. G. ALLEN said he desired to support the clause as drafted. The wattle growers in the country desired that all wattle going out of the country should be examined by a Government expert and he considered that it was absolutely necessary in the interests of the industry and country for inspection to take place. The Hon. Mr. Mildmay did not appear to have noticed that although it might be advantageous for a few persons growing inferior wattle to export it unexamined and sell it on the markets of the world as East African Wattle, it

was not in the interests of the growers and of the country generally that such wattle should be put on the market unexamined and ungraded, and that was the point that had to be settled in that particular section. He would also like to point out that the Bill does not prohibit the export of any wattle except that which had not been inspected. It did not prohibit a single ounce of bark from being exported.

The amendment was put but was lost by 10 votes to 2. Messrs. Mildmay and Wood voted in favour of the amendment.

The Council Resumed its Sitting.

THE HON. CROWN ADVOCATE reported the Bill as amended to Council and gave notice that he would move the third reading on the following day.

Interpretation and General Clauses Ordinance, 1912.

THE HON. CROWN ADVOCATE that the Bill intituled "Interpretation and General Clauses Ordinance, 1912" be read a second time.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

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

IN COMMITTEE.

The Bill was read clause by clause and adopted with the following amendments:—

The Council Resumed its Sitting.

THE HON. CROWN ADVOCATE reported the Bill as amended to Council and gave notice that he would move the third reading on the following day.

Native Authority Ordinance, 1912.

THE HON. ACTING CHIEF SECRETARY moved that the Bill intituled "An Ordinance to make further and better provision in regard to the powers and duties of Native Chiefs, Councils, and Headmen recognised or appointed by the Governor and to provide for the enforcement of Native authority" be read a second time.

THE HON. CROWN ADVOCATE seconded.

The question was put and carried.

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

IN COMMITTEE.

The Bill was read clause by clause and adopted with the following amendment:—

THE HON. B. G. ALLEN, referring to clause 5 Sub-Section 4 asked why this section should be confined to livestock. Would it not be possible to put in "or other property" as well?

THE HON. CROWN ADVOCATE said that there was no objection, and he moved that the words "or other property of any description" be added in lines 2 and 4 after "livestock".

THE HON. B. G. ALLEN suggested that the sub-sections of clause 12 should be marked (A), (B), (C), (D), instead of as printed.

This was agreed to.

The Council Resumed its Sitting.

THE HON. ACTING CHIEF SECRETARY reported the Bill as amended to Council and gave notice that he would move the third reading at a later stage of the Session.

King's African Rifles Ordinance, 1912.

THE HON. ACTING CHIEF SECRETARY moved that the Bill intituled "The King's African Rifles Ordinance, 1912," be read a third time.

THE HON. CROWN ADVOCATE seconded.

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

Customs Tariff Amendment Ordinance.

THE HON. CHIEF OF CUSTOMS moved that the Bill intituled "An Ordinance to amend the Customs Tariff Ordinance, 1903," be read a third time.

THE HON. ACTING CHIEF SECRETARY seconded.

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

(Council adjourned until the 29th May)

(THIRD DAY).

The Council assembled on the 29th May, at 10 a.m., HIS EXCELLENCY THE ACTING GOVERNOR (C. C. BOWRING, C.M.G.,) presiding.

Present :—

THE HON. THE ACTING CHIEF SECRETARY TO THE GOVERNMENT (A. C. HOLLIS, C.M.G.)

THE HON. THE TREASURER (H. A. SMALLWOOD).

THE HON. THE ATTORNEY GENERAL (R. M. COMBE).

THE HON. THE ACTING MANAGER OF THE UGANDA RAILWAY (C. T. SANDIFORD, C.B.)

THE HON. CHIEF OF CUSTOMS (F. W. MAJOR, I.S.O.).

THE HON. C. W. HOBLEY, C.M.G.

THE HON. R. BARTON WRIGHT.

THE HON. T. A. WOOD.

THE HON. DR. A. E. ATKINSON.

THE HON. B. G. ALLEN.

THE HON. P. G. DICKINSON.

THE HON. G. ST. JOHN MILDMAY.

Sales by Auction Ordinance.

THE HON. TREASURER read the following Report of the Special Committee appointed to consider and report on the Bill intituled "An Ordinance to Regulate Sales by Auction." :—

REPORT OF THE SPECIAL COMMITTEE APPOINTED ON THE 28TH MAY, 1912,
BY THE LEGISLATIVE COUNCIL TO EXAMINE INTO AND REPORT ON THE
BILL INTITULED "AN ORDINANCE TO REGULATE SALES BY AUCTION."

The Special Committee appointed to consider the Bill intituled "An Ordinance to Regulate Sale by Auction" beg to report that they are of opinion that the licence fees should be reduced; that licences to Agents of Auctioneers should not be provided for; that security to be furnished by Auctioneers should be allowed other than by surety bond or deposit of cash; that any rules made regarding surety bonds or other security shall be submitted to the Legislative Council; that in sales, subject to reserve prices, the bid of the seller or any person employed by him should not be openly declared when the goods are first put up for sale.

Nairobi,
May 28th, 1912.

H. A. SMALLWOOD,
Chairman.

THE HON. CROWN ADVOCATE moved that Council go into Committee to consider the provisions of the Bill.

THE HON. ACTING CHIEF SECRETARY seconded.

The question was put and carried.

IN COMMITTEE.

The Bill was read clause by clause and adopted with the following amendments :—

THE SALES BY AUCTION ORDINANCE, 1912.

AMENDMENTS TO BE PROPOSED BY THE SPECIAL COMMITTEE.

- Add at end "and shall come into operation on the 1st day of January, 1913."
- Clause 1
- Clause 4
Sub-Section (2)
- Clause 7
- Clause 8
- Clause 11, 12,
and 13
- Clause 14
- Clause 15
- Clause 16
- Clause 17
- Clause 18
- Clause 19
- Clause 20
- Clause 21
- Clause 22
- Clause 23
- First Schedule
- Second Schedule
- In line 1 delete "D" and substitute "B."
- In line 2 delete "any immoveable property or shall."
- In line 3 delete "sell by auction moveable."
- In line 3 insert "any" before "property."
- In line 1 delete "the" before "one."
- In Sub-section (2) delete "D" and substitute "B."
- Delete and substitute :
8. Before the licence is granted, the applicant shall, if so required by any Rule made under this Ordinance, give security, in such form and in such amount as may be prescribed, to answer for the faithful discharge of his office.
- Delete.
- Becomes 11.
- Insert licensed before "Auctioneer" in line 1.
- Becomes 12.
- In line 7 delete "B or C."
- Becomes 13.
- In line 1 insert "licensed" before "Auctioneer."
- Delete "D" and substitute "B."
- Becomes 14.
- In the third paragraph delete the end of the paragraph from and including the words "which bid shall be openly declared."
- In the fifth paragraph insert "preceding" before "provisions" in line 2.
- Insert after the fifth paragraph a new paragraph as follows :—
- "No Auctioneer shall make a bid either on behalf of himself or as Agent for any other person unless on making such bid he shall announce that it is his bid."
- In the last paragraph of the Section insert "or make" after "receive."
- Delete "bidding" and substitute "bid."
- Becomes 15.
- Delete.
- Becomes 16.
- Becomes 17.
- Becomes 18.
- Delete paragraph (i) of Sub-section (1) and substitute the following :—
- "(i) Requiring that an applicant for a licence under this Ordinance shall give security for the faithful discharge of his office, and prescribing the amount of the security to be required, and the form in which security may be accepted."
- In Sub-section (2) line 3 delete "the purpose set forth in paragraph (ii)" and substitute "any of the purposes set forth in paragraphs (i) or (ii)."
- Becomes 19.
- In line 2 delete "Auctioneers" and substitute "the business of an Auctioneer."
- Substitute for fees prescribed for a licence of the Form A the following fees :—
- Rs. 75-00
- " 45-00
- Delete provisions in relation to Forms B and C.
- Form D becomes Form B.
- Substitute following fees :—
- Rs. 10-00
- " 6-00
- Delete "without Privilege of Agents" and substitute "Auctioneers licence."

Delete Forms B and C.

Form D becomes Form B.

Delete "Limited Licence" and substitute "Auctioneers Limited Licence."

Delete "immoveable property or to sell by auction."

Delete "moveable."

The Council Resumed its Sitting.

THE HON. CROWN ADVOCATE reported the Bill as amended to Council and gave notice that he would move the third reading at the next meeting of Council

Smallpox Ordinance.

THE HON. ACTING CHIEF SECRETARY moved that the Bill intituled "An Ordinance to make further and better provision for the prevention of the spread of Smallpox" be read a third time.

THE HON. CROWN ADVOCATE seconded.

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

Wattle Bark Industry Ordinance.

THE HON. CROWN ADVOCATE moved that the Bill intituled "An Ordinance to make provision for the protection of the Wattle Bark Industry" be read a third time.

THE HON. ACTING CHIEF SECRETARY seconded.

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

Interpretation and General Clauses Ordinance.

THE HON. CROWN ADVOCATE moved that the Bill intituled "The Interpretation and General Clauses Ordinance, 1912," be read a third time.

THE HON. ACTING CHIEF SECRETARY seconded.

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

Powers and Duties of Native Chiefs Ordinance.

THE HON. ACTING CHIEF SECRETARY moved that the Bill intituled "An Ordinance to make further and better provision in regard to the powers and duties of Native Chiefs, Councils and Headmen, recognised or appointed by the Governor, and to provide for the enforcement of Native authority" be read a third time.

THE HON. CROWN ADVOCATE seconded.

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

The Council adjourned *sine die*.