

EAST AFRICA PROTECTORATE.

ORDINANCES AND REGULATIONS,

VOL. XV.

January 1st to December 31st, 1913.

NAIROBI.

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Schedule of Legislation for the year 1913, showing the effect upon existing laws.

No. of Ordinance.	Subject.	Effect upon existing laws.
1 of 1913	Provision for the Financial Year 1913-14.	
2 of 1913	Vaccination.	Amends Ordinance 12 of 1912.
3 of 1913	Cruelty to Animals.	Cancels application of Indian Act, XI of 1890.
4 of 1913	Immigration Restriction.	Repeals Section 10 of Ordinance 17 of 1906
5 of 1913	Summary Recovery of Civil Debts.	
6 of 1913	Killing of Lions and Cheetah.	Amends Schedule 3 of Ordinance 19 of 1909.
7 of 1913	Sexual Offences.	Amends Sections 354 and 376 of Indian Penal Code, amends Indian Whipping Act, VI of 1864, affects Section 33 of Courts Ordinance 13 of 1907.
8 of 1913	Stock and Produce Thefts.	
9 of 1913	Leprosy.	
10 of 1913	Division and Sale of Land in vicinity of Townships.	
11 of 1913	Supplementary Provision for 1912-13.	
12 of 1913	Wireless Telegraphy.	Repeals Ordinance 9 of 1908.
13 of 1913	Licences for Boats at Lamu.	Repeals Schedule of Ordinance 22 of 1906.
14 of 1913	Abuse of Opiates.	Repeals Ordinance 5 of 1902 and Section 31 of Ordinance 20 of 1909.
15 of 1913	Pawnbrokers.	Regulations 21 of 1901 no longer applicable to pawnbrokers.

Schedule of Rules and Regulations.

Act or Ordinance under which Rules, etc., have been issued.	Date of Rule, Proclamation, etc.	Reference in Official Gazette		Reference in Ordinances and Regulations.		Effect of Rule, Proclamation, etc.
		Year.	Page.	Volume.	Pg. of Appx.	
Appropriation Ordinance, 1913	—	1913	677	XV.	104	Notice of non-disallowance.
Births and Deaths Registration Ordinance, 1904.	—	1913	92	XV.	45	Appointment of Assistant Chief Secretary as Registrar General.
Cinematograph and Stage Plays Exhibition Ordinance, 1912	—	1913	30	XV.	10	Notice of non-disallowance.
	25-10-13	"	940	"	120	Cinematograph Exhibitions Rules.
	—	"	943	"	123	Date of coming into operation of Ordinance.
	—	"	944	"	124	Appointment of Licensing Officer.
	—	"	944	"	124	Town Clerk, Nairobi, to perform duties of D. C.
Civil Debts (Summary Recovery) Ordinance, 1913	—	1913	677	XV.	104	Notice of non-disallowance.
Colonial Prisoners' Removal Order-in-Council, 1913.	11- 4-13	1913	490	XV.	74	Order-in-Council.
Commissions of Inquiry Ordinance, 1912	14- 2-10	1913	137	XV.	60	Appointment of Nairobi Sanitary Commission.
	—	"	174	"	66	Notice of non-disallowance.
Courts Ordinance, 1907	17-12-12	1913	3	XV.	2	Repeal of Rule dated June 6th, 1911.
	6- 2-13	"	130	"	54	Native Tribunal Rules, 1913.
Criminal Law Amendment Ordinance, 1913	21- 8-13	1913	736	XV.	108	Notice of non-disallowance.
Crown Lands Ordinance, 1902	12- 2-13	1913	132	XV.	57	Rules <i>re</i> licences of Crown Lands.
Cruelty to Animals Ordinance, Prevention of, 1913	—	1913	677	XV.	103	Notice of non-disallowance.
Customs Ordinance, 1910	18- 2-13	1913	175	XV.	67	Port Jones, Sufferance Wharf.
	11-12-13	"	1065	"	142	Importation of automatic and silenced rifles.
Customs, Fees for goods in	1- 8-13	1913	678	XV.	104	List of fees.
Diseases of Animals Ordinance, 1906	—	1913	93	XV.	45	Instructions to Issuers of Permits.
	10- 7-13	"	630	"	94	Amending rules of 1911.
	29- 8-13	"	735	"	107	Importation of sheep and pigs.
	29- 8-13	"	735	"	107	" " cattle.
Diseases of Plants Prevention Ordinance, 1912	30-12-12	1913	4	XV.	3	Repealing Regulations of August 9th, 1912.
Drugs and Poisons Ordinance, 1909	11- 9-13	1913	772	XV.	110	Poisonous substances for Agricultural purposes
Fees and Royalties Ordinance, 1903	1- 7-13	1913	635	XV.	99	Cancellation of notice, April 24th, 1906.

SCHEDULE OF RULES AND REGULATIONS.—Contd.

Act or Ordinance under which Rules, etc., have been issued.	Date of Rule, Proclamation, etc.	Reference in Official Gazette		Reference in Ordinances and Regulations.		Effect of Rule, Proclamation, etc.
		Year.	Page.	Volume.	Pg. of Appx.	
Fees, Mombasa Port	31- 5-13	1913	493	XV.	77	List of fees.
„ Official Gazette	6- 6-13	„	532	„	80	Fees for publications of Government Press.
„ Goods in Customs	1- 8-13	„	678	„	104	List of fees.
Fish Protection Ordinance, 1908	25- 1-13	1913	60	XV.	14	Trout Protection Rules.
Forest Ordinance, 1911	27-12-12	1913	2	XV.	1	Definition of Nyeri Hill Forest Area.
	27-12-12	„	2	„	1	„ „ Naivasha Forest Reserve.
	31-12-12	„	24	„	4	„ „ Londiani Forest Reserve.
	4- 1-13	„	27	„	7	Royalties for Mangrove Swamps.
	11- 1-13	„	27	„	7	Rubber Rules.
	13- 2-13	„	170	„	62	Definition of Aberdare Forest Reserve between Chania rivers.
	21- 2-13	„	170	„	63	Definition of Molo Forest Reserve.
	14- 2-13	„	171	„	62	Amending Rules of May 12th, 1912.
	17- 2-13	„	171	„	64	Cancellation of Timber Rules, 1912.
Fugitive Criminals Surrender Amendment Ordinance, 1912	—	1913	4	XV.	3	Notice of non-disallowance.
Game Ordinance, 1909	24-12-12	1913	2	XV.	1	Removal of Hippopotamus in Lake Naivasha from Schedule I.
	9- 1-13	„	24	„	5	Boundaries of Northern Game Reserve.
Game Amendment Ordinance, 1913	31-10-13	1913	945	XV.	125	Notice of non-disallowance.
Immigration Restriction Amendment Ordinance 1913	—	1913	677	XV.	104	Notice of non-disallowance.
Indian Explosives Act 1884	12- 7-13	1913	631	XV.	95	Rules <i>re</i> importation of explosives.
	—	„	634	„	98	Notice <i>re</i> intended rules.
	14- 8-13	„	710	„	106	Rules <i>re</i> loading of explosives in boats.
Infectious Diseases Ordinance, 1903	25-12-12	1913	5	XV.	3	Mombasa declared an infected area.
(cancelled, vide p. 10)	2- 1-13	„	29	„	10	Infected area in Nairobi.
(cancelled, vide p. 70)	11- 1-13	„	29	„	10	Cancellation of Notices <i>re</i> Kisumu, 1912.
	10- 1-13	„	29	„	10	„ „ of December 25th, 1912
(cancelled, vide p. 70)	23- 1-13	„	90	„	44	Infected area in Nairobi.
do. do.	23- 1-13	„	90	„	44	„ „ „
	29- 1-13	„	90	„	44	Kisumu declared an infected area.
(cancelled, vide p. 70)	4- 2-13	„	138	„	61	Infected area in Nairobi.
do. do.	7- 2-13	„	139	„	62	„ „ „
do. do.	11- 2-13	„	139	„	62	„ „ „
	15- 4-13	„	366	„	70	Cancellation of Notices respecting Nairobi.
(amended v. pp. 108, 109)	29- 7-13	„	674	„	101	Powers of Health Officers.
	21- 8-13	„	736	„	108	Rules of July 29th, 1913 made cognizable by Police.
(amended, vide p. 124)	1- 9-13	„	771	„	109	Amendment of Rules of July 29th, 1913.
	29-10-13	„	944	„	124	„ „ of October 1st, 1913.
	24-10-13	„	944	„	124	Cancellation of Notice of April 28th, 1913 <i>re</i> Magadi.
Land Acquisition Act, 1894	22- 1-13	1913	89	XV.	43	Declaration <i>re</i> land at Makupa.
	22- 1-13	„	89	„	43	Appoint. of Mr. Tannahill as Collector for above.
	31- 1-13	„	89	„	43	Declaration <i>re</i> land near Changamwe.
	31- 1-13	„	89	„	43	Appoint. of Mr. Tannahill as Collector for above.

SCHEDULE OF RULES AND REGULATIONS.—Contd.

Act or Ordinance under which Rules, etc., have been issued.	Date of Rule, Proclamation, etc.	Reference in Official Gazette		Reference in Ordinances and Regulations.		Effect of Rule, Proclamation, etc.
		Year.	Page.	Volume.	Pg. of Appx.	
Land Titles Ordinance, 1908	27- 1-13	1913	92	XV.	45	Appoint. of D. C., Malindi to appear for Crown.
	5- 2-13	"	132	"	56	Sale or transfer of land after judgment.
	13- 5-13	"	421	"	70	Application of Ordinance to Tanaland.
	13- 5-13	"	421	"	71	Notice <i>re</i> claims to land in Tanaland.
	11-11-13	"	989	"	125	Application of Ordinance to rest of Tanaland.
Law Officers Ordinance, 1912	—	1913	30	XV.	10	Notice of non-disallowance.
Mahommedan Marriage and Divorce Ordinance, 1906	15- 1-13	1913	58	XV.	12	Application to Nyeri District.
	24- 2-13	"	171	"	63	" Gosha "
	1- 3-13	"	228	"	67	" Dagoretti sub-District.
Marriage Ordinance, 1902	—	1913	92	XV.	45	Appt. of Asst. Chief Secy. as Registrar General.
Mining Ordinance, 1912 (<i>amended, vide p. 77</i>)	1- 2-13	1913	61	XV.	15	Notice <i>re</i> Mining Regulations, 1912.
	21- 1-13	"	61	"	15	Mining Regulations, 1912.
	15- 4-13	"	320	"	68	Notice <i>re</i> date of promulgation of Ordinance.
	28- 5-13	"	492	"	77	Amending Mining Regulations, 1912.
	28- 5-13	"	492	"	77	Exemption of grants under Land Titles Ordinance, 1908.
Mombasa Port Fees	31- 5-13	1913	493	XV.	77	List of fees.
Native Authority Ordinance, 1912	24-12-12	1913	5	XV.	3	Appointments under, Turkana District.
	30- 1-13	"	90	"	44	" " Kisumu & Lumbwa Dists.
	30- 1-13	"	91	"	45	Appointment of Mumia.
	—	"	91	"	45	Notice of non-disallowance.
	5- 4-13	"	319	"	68	Additional orders to section 7.
Native Hut and Poll Tax Ordinance, 1910	25- 1-13	1913	58	XV.	12	Duties of Hut Counters and Headmen.
Native Pass Regulations, 1900	13- 2-13	1913	138	XV.	61	Rules to control the movements of Nandi.
	13- 2-13	"	173	"	65	Rules for natives leaving the Protectorate.
	8- 3-13	"	228	"	67	Cancellation of Rules of April 9th, 1900.
	27- 6-13	"	568	"	80	" " local rules of April 27th, 1906.
	5- 7-13	"	630	"	94	" " rules controlling movement of Masai.
	14- 8-13	"	710	"	106	" " rules of December 23rd, 1910.
Neutrality Order-in-Council, 1904	15- 7-13	1913	617	XV.	81	Proclamation <i>re</i> .
	24-10-04	"	617	"	81	Order-in-Council.
	14-10-04	"	624	"	88	Amending Order-in-Council.
Non-Native Poll Tax Ordinance, 1912	—	1913	30	XV.	10	Notice of non-disallowance.
	15- 1-13	"	32	"	11	Notice <i>re</i> partial remission.
Official Gazette, fees for	6- 6-13	1913	532	XV.	80	Fees for publications of Government Press.
Official Secrets Ordinance, 1912	—	1913	30	XV.	10	Notice of non-disallowance.
Outlying Districts Ordinance, 1902	4- 2-13	1913	129	XV.	53	Prohibition <i>re</i> stock in Masai Reserve.
	5- 2-13	"	129	"	54	Cancellation of rules of April 22nd, 1911.
	22- 2-13	"	171	"	63	Machakos-Kapiti Plains Road excluded.
	16- 4-13	"	365	"	68	Boundaries of Jubaland closed District.
	14- 5-13	"	421	"	71	Kismayu-Alexandra Road excluded.
	14- 5-13	"	424	"	73	Issuers of licences to enter Jubaland closed District.
	10- 6-13	"	535	"	78	Exclusion of Muthara Trade Centre, Kenya Province.
	15-10-13	"	935	"	115	Boundaries of Kenya Native Reserve with Trade Roads and Trading Centres.
	8-11-13	"	1005	"	141	Permits for Kikuyu to enter Suk country.

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		Year.	Page.	Volume.	Pg. of Appx.	
Police Ordinance, 1911	4- 7-13	1913	635	XV.	99	Disposal of medals of deceased police.
Prisons Regulations, 1902	7- 8-13	1913	709	XV.	105	Proclamation <i>re</i> Amala River Prison.
Public Holidays Ordinance, 1912	—	1913	4	XV.	3	Notice of non-disallowance.
Quarantine Ordinance, 1912	—	1913	139	XV.	62	Notice of non-disallowance.
Railways Ordinance, 1910	—	1913	897	XV.	114	Notice <i>re</i> opening of Thika Railway.
Registration of Lake Vessels Ordinance, 1910	25- 9-13	1913	823	XV.	113	Rules <i>re</i> exemption, registration, etc.
	—	"	824	"	114	Date of coming into operation of Ordinance.
Sales by Auction Ordinance, 1912	—	1913	30	XV.	10	Notice of non-disallowance.
Seal Fisheries Order-in-Council, 1913	11- 4-13	1913	625	XV.	89	Order-in-Council.
Stock and Produce Theft Ordinance, 1913	21- 8-13	1913	736	XV.	108	Notice of non-disallowance.
Supplementary Appropriation Ordinance, 1912	—	1913	30	XV.	10	Notice of non-disallowance.
Townships Ordinance, 1903	19-12-12	1913	3	XV.	2	Repeal, and deletion of "motor cycles."
	28-12-12	"	3	"	2	Slaughter house for pigs.
	9- 1-13	"	25	"	5	Impounding of animals wandering or trespassing.
	7- 1-13	"	26	"	6	Amendment of rules for meat carts, July 1, '10.
	14- 1-13	"	26	"	6	Constitution of Nairobi Municipal Committee.
	31-12-12	"	29	"	9	Application to Kisumu of "Removal of Refuse" rules, October 20th, 1911.
	3- 2-13	"	126	"	50	Nakuru Township Boundaries.
	25- 1-13	"	126	"	51	Power of Suptd. of Conservancy, Mombasa, to take proceedings.
	5- 2-13	"	126	"	51	Mombasa lodging house rules.
	8- 2-13	"	129	"	53	Amendment to rule <i>re</i> "butchers" 1904.
(amended, p. 78)	14- 2-13	"	172	"	64	Application of rules to Embu and Meru.
	1- 3-13	"	227	"	67	Area excluded from Naivasha Township.
	11- 4-13	"	319	"	68	Deletion of fee for registration of common lodging houses, May 24th, 1905.
	28- 4-13	"	365	"	69	Eldoret Township Rules.
(amended, p. 103)	12- 5-13	"	422	"	71	Nairobi Township Vehicle Rules.
	16- 5-13	"	424	"	74	Embu and Meru market produce Rule.
(cancelled, p. 140)	19- 5-13	"	492	"	76	Sanitary passages, Nairobi.
	29- 5-13	"	492	"	76	Nairobi Cemetery, Rules <i>re</i> photographic appliances.
	10- 6-13	"	535	"	78	Rules for petroleum and kerosine, Nairobi.
	1- 7-13	"	626	"	90	Boundaries of Kismayu, proclamation <i>re</i> .
(amended, pp. 107, 141)	1- 7-13	"	627	"	91	Application of rules to Kismayu and Gobwen
	3- 7-13	"	628	"	92	Steam and motor launch rules, Mombasa.
	5- 7-13	"	629	"	93	Mombasa cycle rules.
	1- 8-13	"	673	"	99	Rules <i>re</i> licensing trade premises in Commercial area, Nairobi.
	1- 8-13	"	674	"	100	Rules for lighting fees in Commercial area, Nairobi.
	30- 7-13	"	676	"	103	Nairobi Somali Location rules.
	25- 7-13	"	677	"	103	(Amending) Nairobi Township Vehicle rules.

SCHEDULE OF RULES AND REGULATIONS.—Contd.

Act or Ordinance under which Rules, etc., have been issued.	Date of Rule, Proclamation, etc.	Reference in Official Gazette		Reference in Ordinances and Regulations.		Effect of Rule, Proclamation, etc.
		Year.	Page.	Volume.	Pg. of Appx.	
Townships Ordinance, 1903—(Contd.)	9- 8-13	1913	709	XV.	105	Rules applicable to Rabai and Mazaras.
	16- 8-13	"	735	"	107	Addition to Rules of July 1st, 1913.
	21- 8-13	"	735	"	107	Provision of lamps for vehicles.
	27- 8-13	"	736	"	108	Market fees for sheep and goats in Kenya Prov.
	28- 8-13	"	736	"	108	Rules cognizable by Police in Lamu.
	29-10-13	"	938	"	118	Rules <i>re</i> nuisances, Mombasa.
	25-10-13	"	944	"	124	Registration of places of entertainment, Nrb.
	1-11-13	"	989	"	125	Rule <i>re</i> anchorage at Gobwen.
	15-11-13	"	990	"	126	Nairobi Building Rules.
	4-11-13	"	1004	"	140	Licences for dhobies, Nairobi.
	22-11-13	"	1037	"	141	Notification of infectious diseases.
	25-11-13	"	1037	"	141	Amending Rules of July 1st, 1913.
Trade Marks Ordinance, 1912	—	1913	4	XV.	3	Notice of non-disallowance.
Trading Ordinance, 1904	25- 8-13	1913	735	XV.	107	Cessation of application to Gosha.
Ukamba Road Dues Regulations, 1899	13- 5-13	1913	426	XV.	74	Cancellation of Regulations.
Vaccination Amendment Ordinance, 1913	—	1913	677	XV.	103	Notice of non-disallowance.
Vaccination Ordinance, 1912	30-12-12	1913	3	XV.	2	Application to Township of Kisumu.
	16- 1-13	"	89	"	43	" " Lamu.
	13- 2-13	"	174	"	66	" Nyeri District.
	10- 3-13	"	228	"	68	" Embu and Meru Districts.
	14- 3-13	"	276	—	—	" Takaungu, Malindi, Mambrui.
	15- 3-13	"	276	—	—	" Kismayu and Gobwen.
Village Headmen's Ordinance, 1902	16-12-12	1913	5	XV.	4	Appointments under, Kenia Province.
Volunteer Reserve Ordinance, 1910	—	1913	31	XV.	10	Appointments under, Limoru Unit.
	5-11-13	"	989	"	125	Rules <i>re</i> imposition of fines, etc.
Way Leaves Ordinance, 1912	—	1913	139	XV.	62	Notice of non-disallowance.

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EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 1 OF 1913.

An Ordinance to apply a sum of Money for the Service of the year ending the 31st day of March, 1914. Title.

[May 26th, 1913.] Date.

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. The Public Revenue for the year 1913-14, and other funds of the East Africa Protectorate are hereby charged towards the service of the year ending the thirty-first day of March, one thousand nine hundred and fourteen, with a sum of one million and ten thousand, six hundred and thirty seven pounds. Public Revenue and other Funds Charged.

2. The money granted by this Ordinance shall be applied to the purposes and services expressed in the Schedule annexed hereto. Application of money granted.

3. The Treasurer of the Protectorate is hereby authorised and required, from time to time, upon the warrant or order of the Governor to pay out of the Revenue and other Funds of the Protectorate, for the several services specified in the Schedule, the said sum of one million and ten thousand, six hundred and thirty seven pounds, which will come in course of payment during the year ending on the thirty-first day of March, one thousand nine hundred and fourteen. Treasurer's authority for payment.

4. This Ordinance may be cited as "The Appropriation Ordinance," 1913. Short Title.

Schedule.

Division.	Amount.
	£
1. Rent and Interest to H. H. the Sultan	17,000
2. Pensions	2,675
3. His Excellency the Governor	8,046
4. Secretariat	6,068
4. "Official Gazette" and Printing	4,450
6. Provincial Administration	103,698
6a. do. do. Special Expenditure	2,263
7. Treasury	9,381
8. Customs Department... ..	16,820
9. Port and Marine Department	5,278
9a. do. do. Special Expenditure	2,535
10. Audit Department	4,082
11. Legal Departments	16,724
12. Police	49,264
13. Prisons	13,849
13a. do. Special Expenditure	2,385
14. Medical Departments... ..	27,147
15. Hospitals and Dispensaries	17,189
16. Education	8,186
Carried forward	316,540

Division.		Amount.
	Brought forward	£ 316,540
17.	Transport	3,074
18.	Military Expenditure	50,294
18a.	do Special Expenditure	475
19.	Miscellaneous Services	8,615
20.	Bombay Agency ... ..	...
21.	Post Office and Telegraphs	40,028
21a.	do Special Expenditure	3,100
22.	Railway Department	308,798
22a.	do Special Expenditure	5,000
22b.	Busoga Railway	16,500
22c.	Uganda Railway Marine (Busoga Section)	19,332
22d.	Thika Railway	75
23.	Agricultural Department	31,940
24.	Forest Department	9,767
25.	Game Department	3,634
26.	Immigration Department	378
27.	Survey Department	26,138
28.	Land Office	7,278
29.	Public Works Department	22,694
30.	do Recurrent	29,630
31.	do Extraordinary	65,551
32.	Abolition of Slavery	2,500
33.	Coast Land Settlement	11,406
34.	Loan Charges	13,890
35.	Special Expenditure for Magadi	14,000
Total		£ 1,010,637

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 2 OF 1913.

An Ordinance to amend the Vaccination Ordinance, 1912.

[May 26th, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short Title.

1. This Ordinance may be cited "The Vaccination Amendment Ordinance, 1913," and shall be read as one with the Vaccination Ordinance, 1912, hereinafter referred to as the Principal Ordinance.

Interpretation of the term "child."

2. In and for the purposes of the Principal Ordinance the term "child" means a person who is under, or who appears to be under, 15 years of age.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 3 of 1913.

An Ordinance to make further and better provision for the Prevention of Cruelty to Animals.

[May 26th, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as “The Prevention of Cruelty to Animals Ordinance, 1913.” Short Title.

2. (1) If any person—

Offences of cruelty

- (a) shall cruelly beat, kick, ill-treat, over-ride, over-drive, over-load, torture, infuriate, or terrify any animal, or shall cause or procure, or, being the owner, permit any animal to be so used, or shall, by wantonly or unreasonably doing or omitting to do any act, or causing or procuring the commission or omission of any act, cause any unnecessary suffering, or being the owner, permit any unnecessary suffering to be so caused to any animal; or
 - (b) shall convey or carry, or cause or procure, or, being the owner, permit to be conveyed or carried, any animal in such manner or position as to cause that animal any unnecessary suffering; or
 - (c) shall cause, procure, or assist at the fighting or baiting of any animal; or shall keep, use, manage, or act or assist in the management of, any premises or place for the purpose, or partly for the purpose, of fighting or baiting any animal, or shall permit any premises or place to be so kept, managed, or used, or shall receive or cause or procure any person to receive, money for the admission of any person to such premises or place; or
 - (d) shall wilfully, without any reasonable cause or excuse, administer, or cause or procure, or being the owner permit, such administration of, any poisonous or injurious drug or substance to any animal, or shall wilfully, without any reasonable cause or excuse, cause any such substance to be taken by any animal; or
 - (e) shall subject, or cause or procure, or being the owner permit, to be subjected, any animal to any operation which is performed without due care and humanity;
- such person shall be guilty of an offence of cruelty within the meaning of this Ordinance, and shall be liable upon conviction to a fine not exceeding three hundred rupees, or alternatively, or in addition thereto, to imprisonment of either description for any term not exceeding six months.
- (2) For the purposes of this section, an owner shall be deemed to have permitted cruelty within the meaning of this Ordinance if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom.

Provided that, where an owner is convicted of permitting cruelty within the meaning of this Ordinance by reason only of his having failed to exercise such care and supervision, he shall not be liable to imprisonment without the option of a fine.

(3) Nothing in this Section shall render illegal any act done by a duly qualified Medical Practitioner or by a qualified Veterinary Surgeon, which may be lawfully done under the Cruelty to Animals Act 1876 (39 and 40 Victoria Ch. 77) by a person licensed under that Act, or shall apply:—

- (a) to the commission or omission of any act in the course of the destruction, or the preparation for destruction, of any animal as food for mankind, unless such destruction or such preparation was accompanied by the infliction of unnecessary suffering; or
- (b) to the coursing or hunting of any captive animal, unless such animal is liberated in an injured, mutilated, or exhausted condition; but a captive animal shall not, for the purposes of this section, be deemed to be coursed or hunted before it is liberated for the purpose of being coursed or hunted, or after it has been recaptured, or if it is under control.

Power of Court to order destruction of animal.

3. Where the owner of an animal is convicted of an offence of cruelty within the meaning of this Ordinance, it shall be lawful for the Court, if the Court is satisfied that it would be cruel to keep the animal alive, to direct that the animal be destroyed, and to assign the animal to any suitable person for that purpose; and the person to whom such animal is so assigned shall as soon as possible, destroy such animal or cause or procure such animal to be destroyed, in his presence without unnecessary suffering. Any reasonable expenses incurred in destroying the animal may be ordered by the Court to be paid by the owner, and thereupon shall be recoverable summarily as a civil debt.

Provided that, unless the owner assent, no order shall be made under this section except upon the evidence of a Veterinary Surgeon.

Power of Court to deprive person convicted of cruelty of ownership of animal.

4. If the owner of any animal shall be guilty of cruelty within the meaning of this Ordinance to the animal, the Court, upon his conviction thereof, may, if it thinks fit, in addition to any other punishment, deprive such person of the ownership of the animal, and may make such order as to the disposal of the animal as it thinks fit under the circumstances.

Provided that no order shall be made under this Section, unless it is shown by evidence as to a previous conviction, or as to the character of the owner, or otherwise, that the animal, if left with the owner, is likely to be exposed to further cruelty.

Compensation for damage done by cruelty to an animal.

5. If any person shall, by cruelty within the meaning of this Ordinance to any animal, do or cause to be done, any damage or injury to the animal or any person or property, he shall upon conviction for the cruelty under this Ordinance, be liable upon the application of the person aggrieved to be ordered to pay as compensation to the person who shall sustain damage or injury as aforesaid, such sum not exceeding 150 rupees, as the Court before whom he is convicted may consider reasonable; the sum so ordered to be paid shall be recoverable as if it were a fine.

Provided that this Section shall not—

- (a) prevent the taking of any other legal proceedings in respect of any such damage or injury, so that a person be not twice proceeded against in respect of the same claim; nor
- (b) affect the liability of any person to be proceeded against and punished under this Ordinance for an offence of cruelty within the meaning of this Ordinance.

Injured animals.

6. (1) If a European Police Officer finds on any road or in any public place, any animal so diseased or so severely injured or in such physical condition that, in his opinion, having regard to the means available for removing the animal, there is no possibility of removing it without cruelty, it shall be lawful for the police officer, without the consent of the owner, to slaughter the animal, or cause or procure it to be slaughtered, with such instruments or appliances, and with such precautions, and in such manner, as to inflict as little suffering as practicable, and to remove the carcase or cause or procure it to be removed from the road or public place.

(2) Any expense which may be reasonably incurred by any Police Officer in carrying out the provisions of this Section may be recovered from the owner summarily as a civil debt, and, subject thereto, any such expense shall be defrayed out of the police vote.

7. The Governor may make such rules, as he may think fit, for the following purposes or any of them:—
- Power to make rules.
- (i) for insuring for animals carried by sea or on inland waters a proper supply of food and water and proper ventilation during the passage and on landing;
 - (ii) for protecting animals from unnecessary suffering during the passage and on landing;
 - (iii) for protecting animals from unnecessary suffering during inland transit; and
 - (iv) for prescribing and regulating the payment and recovery of expenses incurred under any rule.
8. (1) A Police Officer may apprehend without warrant any person who he has reason to believe is guilty of an offence under this Ordinance which is punishable by imprisonment without the option of a fine, whether upon his own view thereof or upon the complaint and information of any other person who shall declare his name and place of abode to such Police Officer.
- Powers of Police Officers.
- (2) Where a person having charge of a vehicle or animal is apprehended by a Police Officer for an offence under this Ordinance, it shall be lawful for that or any other Police Officer to take charge of such vehicle or animal, and to deposit the same in some place of safe custody until the termination of the proceedings or until the Court shall direct such vehicle or animal to be delivered to the person charged or the owner, and the reasonable costs of such detention, including the reasonable costs of veterinary treatment where such treatment is required, shall, in the event of a conviction in respect of the said animal, be recoverable from the owner summarily as a civil debt, or, where the owner himself is convicted, shall be part of the costs of the case.
9. (1) If a Magistrate or a Police Officer of or above the rank of Assistant District Superintendent, upon information in writing, and after such inquiry as he thinks necessary, has reason to believe an offence under this Ordinance is being or is about to be or has been committed in any place, he may either himself enter and search, or, by his warrant, authorise any Police Officer above the rank of Constable or any European Constable to enter and search the place.
- Search warrants.
- (2) The provisions of the Code of Criminal Procedure, relating to searches under that Code, shall, so far as those provisions can be made applicable, apply to a search under Sub-section (1).
10. (1) Where proceedings are instituted under this Ordinance against the driver or conductor of any vehicle, it shall be lawful for the Court to issue a summons directed to the employer of the driver or conductor, as the case may be, requiring him, if it is in his power so to do, to produce the driver or conductor at the hearing of the case.
- Employers and owners to produce drivers or animals if so required.
- (2) Where proceedings are instituted under this Ordinance, it shall be lawful for the Court to issue a summons directed to the owner of the animal requiring him to produce either at, or at any time before, the hearing of the case, as may be stated in the summons, the animal for the inspection of the Court, if such production is possible without cruelty.
- (3) Where a summons is issued under either of the foregoing sub-sections of this Section, and the owner or employer, as the case may be, fails to comply therewith without satisfactory excuse, he shall be liable upon summary conviction to a fine not exceeding 75 rupees for the first occasion and not exceeding 150 rupees for the second or any subsequent occasion, on which he so fails, and may be required to pay the costs of any adjournment rendered necessary by his failure.
11. (1) In all cases of a conviction of an offence under this Ordinance, the Court may order the person convicted to pay all or any specific part of the costs and expenses of his prosecution. Any money payable by virtue of an order under this Section shall be recoverable as if it were a fine.
- Costs.

- (2) The Court may order that the whole or such portion of the costs and expenses, as the Court thinks fit, paid by or recovered from the convicted person shall be paid to the prosecutor or complainant.

Payments out of fine.

12. Where in any proceedings under this Ordinance any fine is imposed the Court may award any sum or sums not exceeding half the total fine to the person, not being a Police Officer, who shall complain and prosecute, or to such other person as to the Court shall seem fit or proper.

Definitions

13. In this Ordinance, except the context otherwise requires, or it is otherwise expressly provided:—

- (a) the expression “animal” means any domestic or captive animal;
- (b) the expression “domestic animal” means any horse, ass, mule, camel, bull, sheep, pig, goat, dog, cat, or fowl, or any other animal of whatsoever kind or species, and whether a quadruped or not which is tame or which has been or is being sufficiently tamed to serve some purpose for the use of man;
- (c) the expression “captive animal” means any animal (not being a domestic animal) of whatsoever kind or species, and whether a quadruped or not, including any bird, fish, or reptile, which is in captivity, or confinement, or which is maimed, pinioned, or subjected to any appliance or contrivance for the purpose of hindering or preventing its escape from captivity or confinement;
- (d) the expression “horse” includes any mare, gelding, pony, foal, colt, filly, or stallion; and the expression “bull” includes any cow, bullock, heifer, calf, steer, or ox, and the expression “sheep” includes any lamb, ewe, or ram; and the expression “pig” includes any boar, hog, or sow; and the expression “goat” includes a kid; and the expression “dog” includes any bitch, sapling, or puppy; and the expression “cat” includes a kitten; and the expression “fowl” includes any cock, hen, chicken, capon, turkey, goose, gander, duck, drake, guinea-fowl, peacock, peahen, swan, or pigeon.

Repeal.

14. On and after the coming into operation of this Ordinance the Indian Prevention of Cruelty to Animals Act 1890 (Act XI of 1890) shall cease to apply to the Protectorate; Provided as follows:

- (1) Where any legal proceedings have been begun under the said Act the same shall be continued as if this Ordinance had not been enacted.
- (2) Any person who before the coming into operation of this Ordinance shall have committed any offence punishable under the said Act, may be proceeded against and punished as if this Ordinance had not been enacted.

E A S T A F R I C A P R O T E C T O R A T E .

AN ORDINANCE

No. 4 OF 1913.

An Ordinance to amend the Immigration Restriction Ordinance, 1906.

[May 26th, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short Title.

1. This Ordinance may be cited as “The Immigration Restriction Amendment Ordinance, 1913,” and shall be read as one with the Immigration Restriction Ordinance, 1906, hereinafter referred to as the Principal Ordinance.

2. Section 10 of the Principal Ordinance is hereby repealed and there shall be substituted therefor the Section following:—

Amendment of
Principal Ordinance.

10. If there shall be reasonable cause to suspect that any person has contravened this Ordinance, and if in order to prevent justice from being defeated it is necessary to arrest such person immediately, it shall be lawful for any Immigration or Police Officer to arrest such person forthwith without having a warrant for that purpose, and he shall be required to bring such person before a Magistrate as soon as may be, or should the ship from which such person has landed be on the point of departure, then, unless such person shall demand to be taken before a Magistrate, he may be handed over to the custody of the Master of the ship who shall be obliged to receive and keep him on board.

E A S T A F R I C A P R O T E C T O R A T E .

AN ORDINANCE

No. 5 OF 1913.

The Civil Debts (Summary Recovery) Ordinance, 1913.

[May 26th, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Civil Debts (Summary Recovery) Ordinance, 1913." Short Title.

2. Any sum declared by any Ordinance, whether past or future, to be a civil debt recoverable summarily, may be recovered in the Court of any Magistrate of competent jurisdiction in the manner prescribed by this Ordinance. Civil debts and sums recoverable before a Magistrate may be recovered in the manner prescribed by this Ordinance.

3. Magistrates holding Subordinate Courts of the first, second and third class shall have jurisdiction under this Ordinance, subject to the following limitations:— Jurisdiction of Magistrates.

(a) A Magistrate holding a Subordinate Court of the third class shall not exercise jurisdiction in any case in which the sum sought to be recovered exceeds 250 rupees.

(b) A Magistrate holding a Subordinate Court of the second class shall not exercise jurisdiction in any case in which the defendant is a Non-Native and the sum sought to be recovered exceeds 500 rupees, or in which the defendant is a Native and the sum sought to be recovered exceeds one thousand rupees.

4. (1) All proceedings under this Ordinance shall be commenced by complaint which shall be in writing and shall set forth the particulars of the claim. Commencement of proceedings.

(2) A Magistrate shall not be required to examine a complainant on oath before issuing a summons to the defendant.

5. (1) A Magistrate of competent jurisdiction receiving a complaint may issue a summons stating shortly the matter of the complaint and requiring the defendant to appear at a certain time and place before him to answer the complaint. The particulars of the claim shall, unless embodied in the summons, be annexed to, and, if so annexed, shall be deemed to be part of, the summons. Magistrate to issue summons.

(2) The provisions of the Code of Criminal Procedure relating to the service of a summons shall apply to the service of any summons issued under this Ordinance.

Warrant not to issue, but if defendant fails to appear Magistrate may proceed *ex parte*.

6. A warrant shall not be issued for compelling the attendance of the defendant to answer any such complaint, but if on the day and at the place appointed in and by the summons, or on any day to which the hearing may be adjourned, the defendant shall fail to appear, then and in every such case if the Magistrate shall be satisfied that the summons was duly served upon the defendant, a reasonable time before the time so appointed for his appearance as aforesaid, it shall be lawful for such Magistrate to proceed *ex parte* to the hearing of the complaint, and to adjudicate thereon as fully and effectually, to all intents and purposes, as if such defendant had personally appeared before him in obedience to the said summons.

Case to be tried as a summons case.

7. The procedure prescribed by the Code of Criminal Procedure for the trial of a summons case by a Magistrate shall, so far as applicable, be followed in the trial of a case under this Ordinance.

Defendant may be a witness.

8. The defendant in any proceedings under this Ordinance shall be a competent witness for the defence.

Order of payment.

9. (1) If on the hearing of the complaint the Magistrate is satisfied that the defendant is liable to pay the sum claimed or any part thereof, he shall make an order that the defendant do pay into Court such sum as the Magistrate may adjudge is payable by the defendant.

(2) A Magistrate, by whose order any sum is adjudged to be paid, may do all or any of the following things, namely:—

- (i) Allow time for the payment of such sum; and
- (ii) Direct payment to be made of the said sum by instalments.

Where a sum is directed to be paid by instalments and default is made in the payment of any one instalment, the same proceedings may be taken as if default had been made in payment of all the instalments then remaining unpaid.

Order of dismissal of complaint.

10. If, on the hearing of the complaint, the Magistrate is satisfied that the defendant is not liable to pay the sum claimed or any part thereof, he shall dismiss the complaint.

Costs

11. (1) In any case in which a Magistrate shall make an order against the defendant, he may, at his discretion, award and order in the order that the defendant shall pay to the complainant such costs as to the Magistrate shall seem reasonable, and the sum so allowed for costs shall be specified in the order, and be recoverable in the same manner, and under the same warrant, as any sum of money adjudged to be paid is recoverable.

(2) Whenever a Magistrate shall dismiss a complaint it shall be lawful for him, at his discretion by his order of dismissal, to award and order that the complainant shall pay to the defendant such costs as to the Magistrate shall seem just and reasonable, and such costs shall be recoverable in like manner as any other sum of money adjudged to be paid under this Ordinance is recoverable. Provided, however, that whenever proceedings have been instituted by a person in the service of the Government for the recovery of monies alleged to be payable to the Government or to any Department of the Government, and in such proceeding an order is made against the complainant under this Sub-section for the payment of costs, such order shall be served upon the head of the department in which the complainant is serving, and the costs ordered to be paid by the complainant shall be paid out of such fund as the Governor may, by general or special order, direct.

Monies ordered to be paid recoverable as fines

12. (1) Any money payable by virtue of any order made under this Ordinance shall be recoverable as if it were a fine.

(2) All costs incurred in endeavouring to enforce an order shall, unless the Magistrate otherwise orders, be deemed to be due in pursuance of the order.

Imprisonment in default of payment of monies ordered

13. (1) A Magistrate may commit to prison for any term not exceeding six weeks or until payment of the sum due, any person who makes default in the payment of any monies due from him in pursuance of any order.

Provided that no such committal shall be ordered (1) unless a warrant for the levy of the monies due shall have been issued, and no property or insufficient property shall have been found whereon the sum mentioned in the warrant and the costs of levying it could be levied, and (2) unless a summons to appear and be examined on oath has been served on the person making default, and (3) unless it is proved to the satisfaction of the Magistrate that the person making default either has, or had since the date of the order, monies to pay the sum in respect of which he has made default, and has refused or neglected, or refuses or neglects, to pay the same.

- (2) Proof of the means of the person making default may be given in such manner as the Magistrate thinks just, and for the purpose of such proof, the debtor and any witness may be summoned and there attendance enforced by the same process as in cases in which the Magistrate has jurisdiction in criminal matters, and such person making default and witnesses may be examined on oath.
- (3) Every order of committal under this section shall be issued, executed, and obeyed in like manner to commitments under the Criminal Procedure Code, except that, for the purposes of the Prison Laws for the time being in force, the person committed shall be deemed to be a civil prisoner.
- (4) There shall be endorsed on every order of commitment the sum on the payment of which the defendant may be discharged.
- (5) When an order of commitment is issued the defendant may at any time before he is delivered to the Officer in charge of the Gaol, pay to the officer holding the order the amount endorsed thereon as that on the payment of which he may be discharged, and on receiving that amount the officer shall discharge the defendant, and shall forthwith pay the amount to the Magistrate who has made the order.
- (6) No imprisonment under this section shall operate as a satisfaction, or extinguishment of any debt, or deprive any person [of any right to take out execution against the moveable property of the person imprisoned in the same manner as if such imprisonment had not taken place.

14. An appeal shall lie to the High Court from any order made under ^{Appeal} Section 9 or Section 10 of this Ordinance, and the provisions of the Criminal Procedure Code relating to appeals from the order of a Subordinate Court shall apply to such appeal.

15. The High Court may, with the approval of the Governor, issue rules ^{High Court may} fixing fees, prescribing forms, and generally for the purposes of, and for giving ^{issue rules} effect to, the provisions of this Ordinance.

E A S T A F R I C A P R O T E C T O R A T E .

AN ORDINANCE

No. 6 OF 1913.

An Ordinance to Amend the Game Ordinance, 1909.

[May 26th, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Game Amendment Ordinance, ^{Short title.} 1913," and shall be read as one with the Game Ordinance, 1909, hereinafter referred to as the Principal Ordinance.

2. In this Ordinance the term "lion" shall mean a male or female lion ^{Interpretation.} and shall include the young of lion.

Amendment of
Schedule 3.

3. The Third Schedule to the Principal Ordinance shall be and is hereby amended by the addition thereto of the words and figures following:—

<i>Kind</i>	<i>Number allowed.</i>
49. Lion	4
50. Cheetah	2

No poison trap or set gun to be used for the killing or capturing of lion or cheetah.

4. Save as hereinafter provided, no person shall use any poison, trap or set gun for the purpose of killing or capturing lion or cheetah,

Saving as to the killing of lion on or near private land.

5. Nothing in this Ordinance or in the Principal Ordinance contained shall be deemed to prohibit the hunting, killing or capturing by any means whatsoever and without a licence under the Principal Ordinance of lion or cheetah

- (a) on private land,
- (b) on land, not being land within a Game Reserve, within 20 miles of any private land (other than private land situate within a Native Reserve),
- (c) on land, not being land within a Game Reserve, within 5 miles of any private land situate within a Native Reserve, or within 5 miles of any Railway.

E A S T A F R I C A P R O T E C T O R A T E .

AN ORDINANCE

No. 7 OF 1913.

*An Ordinance to amend the Criminal Law in Relation to Rape
and other Sexual Offences.*

[June 24th, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short Title.

1. This Ordinance may be cited as “The Criminal Law Amendment Ordinance, 1913.”

Interpretation.

2. In this Ordinance, unless inconsistent with the context:—

“Native” means any Native of Africa not being of European or Asiatic origin or descent and includes an Arab and a Somali.

“Woman” denotes a female of any age.

“White woman” means a woman of European origin or descent. Provided that in any proceedings under this Ordinance any woman appearing to the Court or Jury before whom the proceedings are held to be of European origin or descent shall be deemed to be a white woman.

“Unlawful carnal connection” means carnal connection otherwise than between husband and wife. Penetration is sufficient to constitute carnal connection necessary to any offence under this Ordinance.

Amendment of
Penal Code.

3. The Indian Penal Code applied to the Protectorate shall be and is hereby amended as follows:—

(a) For Section 376 as enacted in the said Code there shall be substituted the Section following:—

Punishment
for rape.

376. Whoever commits rape shall be punished with imprisonment of either description for a term which may extend to fourteen years, and shall also be liable to a fine.

(b) For Section 354 as enacted in the said Code there shall be substituted the Sections following:—

Assault or use of
criminal force to
a woman in
attempting to
commit rape.

354. Whoever, in an attempt to commit rape, assaults, or uses criminal force to, any woman, shall be punished with imprisonment of either description for a term which may extend to ten years, or with fine, or with both.

354a. Whoever assaults, or uses criminal force to, any woman intending to outrage, or knowing that it is likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

Assault or use of criminal force to a woman with intent to outrage her modesty.

4. (1) Any white woman who voluntarily permits any native to have unlawful carnal connection with her shall be punished with imprisonment of either description for a term which may extend to five years.
- (2) Any white woman who entices or solicits by words, signs or in any other way whatsoever, any native to have unlawful carnal connection with her shall be punished with imprisonment of either description for a term which may extend to two years.
- (3) Any native having or attempting to have unlawful carnal connection with a white woman under circumstances which do not amount to rape or attempted rape shall be punished with imprisonment of either description for a term which may extend to five years.
- (4) Any person who procures or attempts to procure any white woman for the purpose of having unlawful carnal connection with any native shall be punished with imprisonment of either description for a term which may extend to ten years, and may in addition be punished with whipping.
- (5) The owner or occupier of any house or place who knowingly permits unlawful carnal connection in contravention of the provisions of this Section to take place therein shall be punished with imprisonment of either description which may extend to five years.

White woman having connection with Natives.

5. Any person, other than a native, having or attempting to have unlawful carnal connection with a white woman under the age of sixteen years, under circumstances which do not amount to rape or attempted rape, shall be punished with imprisonment of either description which may extend to two years. Provided that it shall be a sufficient defence under any charge under this Section if it shall be made to appear to the Court or Jury before whom the charge shall be brought that the person so charged had reasonable cause to believe that the girl was of or above the age of sixteen years.

Defilement of girls under the age of 16.

6. Anything in Section 33 of the Courts Ordinance 1907 to the contrary notwithstanding, every case in which a native is charged with committing an offence punishable under Section 354 or Section 376 of the Indian Penal Code as amended by this Ordinance shall, if the offence is alleged to have been committed against or in respect of a non-native woman, be committed for trial to the High Court.

Cases of rape or attempted rape by Natives upon Non-Native woman to be tried by the High Court.

7. The Indian Whipping Act, being Act VI of 1864 applied to this Protectorate shall be and is hereby amended as follows:—

Amendment of the Indian Whipping Act.

By the deletion of paragraph (5) of Section 4 of the said Act and by the substitution therefor of the paragraphs following:—

- (5) Assaulting or using criminal force to any woman in an attempt to commit rape, as defined in Section 354 of the Code.
- (5a) Assaulting or using criminal force to any woman with intent to outrage her modesty, as defined in Section 354 (a) of the Code.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 8 of 1913.

An Ordinance to make further and better Provision for the Prevention of the Theft of Stock and Produce.

[June 26th, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council:—

1. This Ordinance may be cited as "The Stock and Produce Theft Short title Ordinance, 1912."

Interpretation.

2. In this Ordinance, unless inconsistent with the context :—

The term “District Commissioner” includes an Assistant District Commissioner ;

The term “farm” includes also a plantation, orchard, and a market or nursery garden ;

The term “Native” means a Native of Africa, not being of European or Asiatic race or origin, and includes a Somali ;

The term “produce” means agricultural produce and includes ostrich feathers ;

The term “stock” means the male, female, or young or cross of an animal of any of the following kinds :—horse, ass, kine, sheep, goat, swine or domesticated ostrich ; and

The term “theft” includes every offence punishable under any of the sections following of the Indian Penal Code, and includes also an attempt to commit, and an abetment of, any such offences :—

Sections 379, 380, 381, 382, 384, 386, 387, 392, 394, 395, 396, 403, 406, 408, 411, 412, or 414.

Minimum fine to be imposed on Natives convicted of theft of stock or produce.

3. Whenever any Court shall convict any Native of the theft of stock or produce the Court shall, in addition to or in lieu of imposing any other punishment authorised by law, sentence the Native convicted to pay a fine which shall in no case be less than ten times the value of the stock or produce in respect of which the offence has been committed. Provided, however, when two or more Natives tried jointly are convicted of such offence as aforesaid, the Court shall sentence each Native convicted to pay a fine of such amount as the Court may deem proper, provided that the total fine payable by all the convicted Natives shall not be less than ten times the value of the stock or produce in respect of which the offence has been committed. And provided further no animal shall be valued for the purposes of this section at a higher value than 300 rupees.

Warrant for levy of fine imposed on Native convicted of theft of stock or produce.

4. Whenever any Native shall be convicted of the theft of stock or produce and shall be sentenced to pay a fine the Court passing sentence shall, unless the amount of the fine shall be forthwith paid, issue a warrant for the levy of the amount of the fine by distress and sale of any moveable property of the offender or of the offender’s family, sub-tribe or tribe or of any member of the offender’s family, sub-tribe or tribe.

Where warrant may be executed

5. Subject to the provisions hereinafter contained a warrant issued under the last preceding section may be executed within the local limits of the jurisdiction of such Court, and it shall authorise the distress and sale of any such property without such limits, when endorsed by a Magistrate within the local limits of whose jurisdiction such property is found.

Effect of such warrant.

6. (1) Whenever a warrant shall have been issued under Section 4, and no or insufficient moveable property of the offender shall be found to satisfy the fine, the warrant shall, subject to the provisions of sub-section (2) of this section, be executed against the moveable property, (1) of any member or members of the offender’s family, (2) of any member or members of the sub-tribe to which the offender belongs, (3) of any member or members of the tribe to which the offender belongs, in the order set out above, until the amount of the fine is levied.

(2) A warrant shall not be executed against any property other than the property of the offender unless and until it shall have been endorsed by the Provincial Commissioner of the Province in which the family, sub-tribe or tribe of the offender is resident. A Provincial Commissioner shall, before endorsing any such warrant, satisfy himself that the circumstances of or in connection with the offence of which the offender has been convicted are such as to justify the levying of the fine or the balance of the fine, as the case may be, by the distress and sale of the property of the offender’s family, sub-tribe or tribe, and a Provincial Commissioner may, if he should think fit, call upon the head of the family or the Headman or Headmen of the sub-tribe or tribe to show cause why the warrant should not be executed, or may hold such other enquiry as he may think proper.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 9 OF 1913.

An Ordinance to make provision for the Isolation and Detention of Persons affected with Leprosy.

[13th October, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as “The Leprosy Ordinance, 1913,” and shall come into operation on such date as the Governor may, by notification in the Gazette, determine. Short Title and Commencement.

2. In this Ordinance, unless inconsistent with the context:—

“Leprosy” shall mean all forms of disease caused by the *bacillus lepræ* of Hansen; Interpretation of terms.

“Asylum” shall mean any building or collection of buildings erected and established under the provisions of section 3 of this Ordinance and used for the treatment or detention of persons affected with leprosy together with the land surrounding such buildings and set apart and defined under the said section for the occupation of such persons;

“Medical Practitioner” shall mean a duly qualified Medical Practitioner;

“Medical Officer” shall mean a Medical Practitioner in the service of the Government;

“Magistrate” shall mean any Magistrate empowered to hold a Subordinate Court of the 1st, 2nd or 3rd class; and

“Proclaimed Area” shall mean a local area specified in a proclamation issued by the Governor under sub-section (3) of section 3 of this Ordinance.

Establishment of Asylums.

3. (1) It shall be lawful for the Governor to erect and establish from time to time within the Protectorate asylums for the detention of persons removed thereto under this Ordinance and for the purpose of acquiring sites for the erection and establishment of asylums to appropriate and set apart any unalienated Crown Land and to order the fencing and enclosing of any land so appropriated and set apart. Power to appropriate Crown land and establish leper asylums thereon.
- (2) The establishment of any asylum and boundaries of any land appropriated and set apart for such purpose shall be notified and defined by notice in the Gazette.
- (3) For the purpose of preventing the spread of leprosy, the Governor may, by proclamation in the Gazette, direct that, from a date named therein, until further order, all persons affected with leprosy found within any local area specified in such proclamation shall be removed to and detained in an asylum.

Isolation, Removal and Detention of Lepers.

4. Whenever it shall come to the knowledge of any person that some other person within a proclaimed area outside an asylum and not exempted under section 28 from the provisions of this Ordinance is affected with or is suspected of being affected with leprosy such first-named person shall forthwith report such fact or suspicion upon oath to a Magistrate of the district in which he is residing. Any person who shall neglect to act in accordance with this section shall be guilty of an offence. Duty of all persons to notify suspected case of leprosy within a proclaimed area.

Duty of Magistrate to isolate suspect on notification.

5. Every Magistrate to whom a report is made under the last preceding section shall issue an order requiring a Police Officer to take steps that the person mentioned in such report be detained in a place of isolation in manner prescribed by regulations under this Ordinance until he shall have been examined as in the next succeeding section provided.

Duty of Magistrate to cause medical examination to be made of suspect.

6. Every Magistrate who shall have issued such isolation order as aforesaid shall cause such person to be examined as soon as possible by two medical practitioners one of whom shall if possible be a Medical Officer and obtain a report from them of such examination.

Discharge of suspect if not affected.

7. If such medical practitioners aforesaid shall report that the person alleged to be affected with leprosy is not so affected the Magistrate shall forthwith discharge him from detention in isolation.

Issue of interim reception order by Magistrate if medical officers report suspect to be affected and doubtful cases.

8. (1) If such medical practitioners aforesaid shall report that the person alleged to be affected with leprosy is so affected or that it is doubtful whether he is so affected or not the Magistrate shall order him as in this section described to be removed to an asylum therein to be detained in accordance with the provisions of this Ordinance.

(2) Any such order as is in this section described shall be termed an interim reception order and shall be addressed to the Superintendent of some asylum and shall be delivered to a Police Officer.

(3) An interim reception order shall authorise any Police Officer to conduct the person named therein to the asylum named in such order and shall further authorise the reception and detention of such person in such asylum until the Chief Secretary shall have transmitted to the Superintendent of the asylum an order of further detention or discharge as hereinafter provided.

Duty of Superintendent to transmit interim reception order to Chief Secretary.

9. Any Superintendent who has received any person into an asylum under an interim reception order shall as soon thereafter as possible transmit to the Chief Secretary:—

(a) the interim reception order:

(b) the reports of the medical practitioners mentioned in section 6.

Voluntary submission to treatment of persons affected with leprosy.

10. If any person within a proclaimed area suspects that he is affected with leprosy and shall desire to submit himself to treatment therefor or to be placed in isolation in accordance with the provisions of this Ordinance he may for such purpose present himself to a Magistrate of the district in which he is residing and such Magistrate shall thereupon having ordered such person to be detained in isolation as in section 5 is provided require two medical practitioners (one of whom shall if possible be a Medical Officer) to examine such person; and if such medical practitioners shall report that such person is not affected with leprosy the provisions of section 7 shall apply in the case of such person; and if such medical practitioners shall report that such person is affected with leprosy or that it is doubtful whether such person is so affected or not the provisions of sections 8 and 9 shall apply to such case.

Issue of detention order by Chief Secretary when satisfied that person detained under reception order is affected with leprosy.

11. (1) Whenever the Chief Secretary shall be satisfied that any person detained under an interim reception order as aforesaid is affected with leprosy he shall make and sign an order (herein described as a detention order) which shall be addressed to the Superintendent of some asylum.

(2) A detention order shall authorise the detention in accordance with the provisions of this Ordinance of the person named therein and shall be in force until cancelled by the Chief Secretary.

(3) The Medical Officer appointed to an asylum shall, at least once a year, and oftener if so required by the Chief Secretary, transmit to the Chief Secretary a report as to the condition of each person detained in the asylum, and if on consideration of such report the Chief Secretary shall consider the further detention of any person unnecessary he may cancel the detention order and direct such person to be discharged.

Procedure by Chief Secretary when not satisfied that person detained under reception order is affected with leprosy.

12. (1) Whenever the Chief Secretary shall not be satisfied that a person detained under an interim reception order is affected with leprosy he shall submit all medical reports transmitted to him under this Ordinance concerning such person to the Principal Medical Officer for the Protectorate and may direct any further medical examination he may consider necessary of such person.

- (2) If on consideration of the report of the Principal Medical Officer or of the further medical examination (if any) he is satisfied that such person is affected with leprosy he shall make and sign a detention order as in section 11 is provided.
- (3) If on consideration of the report of the Principal Medical Officer aforesaid or of the further medical examination (if any) he shall not be satisfied that a person detained under an interim reception order is affected with leprosy he shall transmit an order to the Superintendent of the asylum in which such person is detained directing his discharge therefrom.

13. The Chief Secretary may notwithstanding any thing in this Ordinance contained at any time on sufficient reason to him appearing issue an order to the Superintendent of any asylum directing the discharge of any person from detention therein or the removal of any person detained therein to another asylum for detention under this Ordinance, or, with the consent of such person, to a private asylum which has been named in a notice issued by the Governor under section 28 sub-section (1).

Power to Chief Secretary to order discharge from asylum at any time.

Management of Asylums.

14. The Governor may appoint from time to time Superintendents who shall have the direction and management of any asylum to which they shall respectively be appointed but shall in carrying out their powers and duties be subject to the supervision and directions of the Principal Medical Officer. The Principal Medical Officer may from time to time subject to any Regulations made under this Ordinance appoint Medical Officers, attendants, guards and other officers to any asylums and remove such officers.

Appointment of Superintendents of asylum.

15. It shall be the duty of every Superintendent to inspect from time to time in accordance with Regulations made hereunder the asylum to which he shall have been appointed and the persons detained therein and to cause proper food and necessary comforts to be supplied to such persons and to cause the premises to be properly and cleanly kept and to perform such other duties and exercise such powers as may be imposed and conferred upon him by this Ordinance or by any Regulations made thereunder.

Duties of Superintendents.

16. (1) No person shall be permitted to enter any asylum except in accordance with the Regulations to be made in that behalf under this Ordinance.

Intercourse of persons detained in asylums with each other and persons outside.

(2) Save as in this Ordinance provided and save as may be provided by any Regulations made thereunder no communication or intercourse shall be allowed between persons detained in any asylum and any person not detained therein who is not an officer or attendant thereof.

17. (1) Every person placed in isolation or during the course of removal to or while detained in an asylum under the provisions of this Ordinance shall be deemed to be in lawful custody until discharged therefrom under this Ordinance and while in such custody shall be subject to the provisions of this Ordinance and any Regulations made thereunder.

Suspects and detained lepers to be deemed in lawful custody.

(2) Any person who shall escape from such lawful custody may be pursued, arrested without warrant and taken back into custody by any person whomsoever wheresoever he may be found.

18. Every person detained in lawful custody under the provisions of this Ordinance shall be permitted to receive visits from relatives, friends or legal advisers at such reasonable times and subject to such restrictions as may be determined by Regulations made under this Ordinance.

Persons detained may receive visits subject to regulations.

19. The cost of the erection, establishment, and maintenance of asylums, of the removal of persons to, and of the maintenance of any persons detained therein (save in so far as such cost of maintenance may be otherwise defrayed in accordance with section 20 of this Ordinance), the salaries and wages of Superintendents, attendants or other officers of asylums and of the disinfecting and cleansing of the residence of persons isolated and the maintenance of such persons during the period of isolation shall be defrayed out of the general revenue of the Protectorate.

Cost of erection and maintenance of asylum to be defrayed out of public revenue.

Power to Superintendent to allow persons detained to build habitations for themselves and defray cost of maintenance.

20. It shall be lawful for the Superintendent whenever a person detained under this Ordinance shall be possessed of sufficient means to receive or recover from such person the expense of his maintenance and to allow such person to build for himself or contract to be built a habitation within the limits of an asylum and such Superintendent may for such purposes enter into on behalf of the Government special agreements with such person or his lawful representative.

Care and administration of property of persons confined or detained in asylums.

21. (1) The High Court may appoint a Manager for the temporary or permanent care and administration of any property of a person removed to an asylum for detention under this Ordinance and the provisions of sections 9 to 22 inclusive of the Indian Lunacy Act XXXV of 1858, shall *mutatis mutandis* apply for the purposes of such care and administration of the property of any such person.

(2) It shall be lawful for the Attorney-General to lay any reports of evidence concerning the removal of a person for detention under this Ordinance together with evidence as to any property possessed by such person before the High Court for its consideration and the High Court may upon consideration of such reports and evidence appoint a Manager for the care or custody of the property of any such person aforesaid and where it appears to the High Court desirable that temporary provision should be made for the maintenance or other necessary requirements of such person or any member of his family out of any money or available securities belonging to him in the hands of his bankers or of any other person the High Court may authorise such banker or other person to pay to the Manager such sums as may be deemed necessary and may give directions as to the application thereof for the benefit of such person aforesaid or for the relief of his family or any member thereof.

Miscellaneous.

Cleansing and disinfecting of residence of persons isolated

22. Whenever any person shall have been placed in isolation by order of a Magistrate under section 5 of this Ordinance such Magistrate shall cause the residence of such person to be forthwith cleansed and disinfected in accordance with the advice of a Medical Officer and in accordance with any further directions given in that behalf by the Principal Medical Officer.

Photographing of persons confined in asylums.

23. (1) It shall be the duty of every person detained in an asylum under this Ordinance to submit himself to be photographed from time to time as the Superintendent shall think fit to enable the course of his disease to be ascertained.

(2) Any such person who shall refuse to allow himself to be photographed as aforesaid or shall obstruct any person entrusted with this duty in the execution of such duty shall be guilty of an offence.

(3) Any person who shall give, supply, or exhibit any such photograph obtained under this section to any person to whom he is not expressly or by Regulation authorised to give supply or exhibit such photograph shall be guilty of an offence.

Penalties for contravention of Ordinance.

24. Any person guilty of an offence under this Ordinance shall be liable upon conviction to a fine not exceeding 750 rupees or to imprisonment of either description for a period not exceeding six months or to both such fine and imprisonment.

Power to Governor to make Regulations and provide penalties for the breach thereof.

25. It shall be lawful for the Governor to make Regulations and to prescribe the penalties for the breach thereof not exceeding the penalties in the last preceding section mentioned :—

- (a) for the isolation examination and removal to asylums of persons affected or suspected of being affected with leprosy ;
- (b) for the appointment and duties of Superintendents, medical officers, guards, attendants, and other officers of asylums and the removal of such officers ;
- (c) for the classification, treatment, instruction, and employment of persons detained in asylums ;
- (d) as to the rations and clothing of persons detained in asylums ;

- (e) as to the intercourse of persons detained in an asylum with each other and with persons not so detained and generally for the discipline and good order of persons so detained ;
- (f) for the removal to and detention within an asylum of any person serving or sentenced to a term of imprisonment if certified by a Medical Officer to be affected with leprosy ;
- (g) as to the setting apart of places within any asylum for the special confinement and punishment of persons convicted and sentenced during detention or whilst employed in an asylum, or of persons who have been convicted and sentenced for any offence by any competent Court and removed to an asylum under this Ordinance ;
- (h) for the appointment and duties of a Visiting Committee to any asylum, or otherwise providing for the visitation of asylums ;
- (i) prescribing forms to be used for the purposes of this Ordinance ;
- (j) generally for the carrying out of the provisions of this Ordinance.

26. Notwithstanding anything in this Ordinance contained the examination and report of one medical practitioner shall suffice for the purpose of an interim reception order under this Ordinance whenever undue delay or inconvenience would result in obtaining an examination and report by two medical practitioners ; provided always that the results of an examination and the report of one medical practitioner be confirmed by another medical practitioner as soon as the same can conveniently be obtained.

Examination and report of one medical practitioner to temporarily suffice where two not available.

27. It shall be the duty of every Police Officer to execute any lawful order of the Chief Secretary or any Magistrate issued under the provisions of this Ordinance and any person resisting or obstructing any Magistrate medical practitioner or other person charged with a duty under this Ordinance in the execution of such duty shall be guilty of an offence.

Duty of police officer to execute orders made under Ordinance

28. If the Governor is satisfied that proper provision will be made for the care comfort and custody of persons affected with leprosy and for regulating intercourse between such persons and persons not so affected, in any private leper asylum established before the commencement of this Ordinance or thereafter intended to be established, he may by notice in the "Gazette" exempt from the provisions of this Ordinance all persons affected with leprosy if and so long as they shall remain within the private leper asylum specified in such notice.

Governor may exempt from operation of Ordinance persons affected with leprosy whilst inmates of approved private asylums.

- (2) The Governor may at any time, by notice in the "Gazette" cancel any exemption made by him under the preceding subsection either in respect of all the inmates of a private leper asylum specified in such notice or in respect of such inmate or inmates as may be specified in the notice.

Cancellation of exemption.

- (3) Any Medical Officer may at any time enter any private leper establishment specified in any notice under sub-section (1) of this Ordinance, and inspect the same and examine the inmates ; and every such asylum shall be inspected, and a report thereon sent to the Governor, by a Medical Officer appointed by the Principal Medical Officer on that behalf, at least once in every six months.

Inspection of private asylums.

E A S T A F R I C A P R O T E C T O R A T E .

AN ORDINANCE

No. 10 OF 1913.

The Public Health Ordinance.

[13th October, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

- 1. (1) This Ordinance may be cited as "The Public Health Ordinance, Short Title. 1913."
- (2) This Ordinance shall apply to :

Application.

- (a) all lands situate within five miles of the limits of any Township.
 - (b) all lands situate within two miles of any Railway Station, and
 - (c) any area to which the Governor may by notice in the Gazette apply the Ordinance.
2. (1) There shall for the purposes of this Ordinance be a Board of Health hereinafter referred to as the "Board" which shall consist of the Principal Medical Officer, the Chief Sanitary Officer, the Director of Public Works and such other person or persons, not being more than three in number, as the Governor may appoint.
- (2) A meeting of the Board may be summoned at any time by notice in writing given by the Clerk to the Board.
- (3) The Principal Medical Officer, or in his absence the Chief Sanitary Officer, shall preside. The President and three members of the Board shall form a quorum. All questions shall be determined by the majority of votes. When the opinions of the members of the Board present at a meeting are equally divided, the President, in addition to his vote as a member, shall have a casting vote.
3. (1) There shall not be any division and letting in lots of less than three acres, or any division and sale in lots of less than three acres, for building sites of any land not within a Township, until :
- (i) There shall have been deposited with the Board :
 - (a) a plan in duplicate showing the situation and boundaries of such land, the manner in which it is intended to divide the land, the position and width of roads to be made over and through such land, the intended position of surface drains, the area (if any) to be reserved for residential purposes only, the area (if any) to be reserved for business premises only, the area (if any) to be reserved for the occupation of Europeans only, the area (if any) to be reserved for the occupation of Non-Natives (not being Europeans) only, the area (if any) to be reserved as a Native Location, the area (if any) to be reserved for recreation grounds or as open spaces, and the area (if any) to be reserved for any public buildings.
 - (b) a statement in writing by the owner of the land as to :
 - (i) the provisions which have been made or will be made for the construction of any road or roads or of any drain shown on the plan.
 - (ii) the source from which the occupants of the lots can procure a suitable and sufficient water supply ;
 - (c) such other documents, statements, information, map, plan or thing as the Board may demand ; and
 - (ii) The Board's approval of the plan has been notified to the owner in the manner hereinafter provided.
- (2) The Board shall, as soon as conveniently may be after the receipt of such plan and statement, consider the same and may request the owner of the land or his representative to attend before it and lay before it or explain any facts relating to the matter, and when such plan is approved the President of the Board shall forward one copy thereof to the owner of the land to which it relates with a certificate that the plan has been approved and upon receipt thereof such owner may proceed to divide and let, or divide and sell (as the case may be) the land referred to in accordance with such plan ; provided always that if the Board does not approve of such plan the President of the Board shall forthwith communicate the decision of the Board in writing to the owner of such land, who may within twenty-eight days after the receipt of such communication appeal to the Governor in Council whose decision shall be final.
- (3) The duplicate of a plan approved by the Board shall be certified by the President and deposited in the office of the Chief Sanitary Officer.
- (4) Any person dividing any land and letting any lot or dividing any land and selling any lot before such plan has been approved as aforesaid or except with the consent in writing of the Board

Provisions as to
division, &c. of any
lands for building
sites.

otherwise than in accordance with such approved plan shall be liable to a penalty not exceeding fifteen rupees for every day or part of a day in which the provisions of this section or any of them have not been complied with.

- (5) Any person renting or purchasing any piece of any land so divided and let or so divided and sold before such plan as aforesaid has been approved or, except with the consent in writing of the the Board, otherwise than in accordance with such plan shall be liable to a penalty not exceeding fifteen rupees for every day or part of a day in which the provisions of this section or any of them have not been complied with.
- (6) Whenever any plan or note or memorandum on any plan approved by the Board shall show that any area is to be reserved for any special purpose or for the occupation of any class of persons, any person who shall without the consent in writing of the Board use or permit to be used or shall occupy or permit to be occupied any land within such area otherwise than as shown as aforesaid shall be guilty of an offence and shall be liable to a penalty not exceeding fifteen rupees for every day or part of a day during which the offence shall continue.
- (7) Where before the commencement of this Ordinance any land shall have been laid out in lots for building sites, the Governor in Council may by order published in the "Gazette" postpone the operation of this section in relation to such land for such time as may be specified in such order.
4. (1) Whenever the Board shall consider that in the interest of the public health any road or drain shown on a plan deposited with it under the last preceding section should be constructed, or that a proper and sufficient water supply should be provided for the area to be divided and let or sold in lots, it may before approving the plan require the owner of the land to give an undertaking in writing that he will construct such road or drain or provide such water supply to the satisfaction of the Board within such time as the said Board shall determine.
- (2) The owner of any land who may be required to give any undertaking under the preceding sub-section shall give or procure to be given to the Government of the Protectorate security by bond with one or more sureties approved by the President of the Board in such sum not exceeding the estimated cost of the works required to be constructed or provided as the Board may determine for the faithful and punctual fulfilment of such undertaking, and the Board shall not approve the plan of the proposed division until such security shall have been given.
- Provided, however, that any owner who is required to give such undertaking may appeal to the Governor in Council whose decision shall be final.
- (3) Whenever any person shall give a bond under the last preceding sub-section, and it shall appear that a condition of such bond has been broken, the Attorney General may sue for and recover for the use of the Government of the Protectorate the amount recoverable in respect of such breach of the condition of the said bond.
- (4) Any sum recovered in respect of the breach of a condition of a bond under this section shall be devoted to such purposes in connection with the land in relation to which the bond shall have been given as the Governor in Council shall determine.
5. (1) All penalties under this Ordinance shall be recovered as a civil debt recoverable summarily on the complaint of the Chief Sanitary Officer or of some other officer or person authorised by the Chief Sanitary Officer to lay such complaint, and shall be paid to the revenues of the Protectorate.
- Provided, however, that the Court may in any such proceedings and in cases where upon consideration of the circumstances it shall deem it expedient so to do, mitigate the payment of the penalty or penalties claimed.

Power of Board to require owner of land to furnish security for constructing road, &c., necessary in the interest of the public health.

Penalties under this Ordinance how recoverable.

(2) Every Director and Manager of a Company shall be liable to the penalties for a contravention of this Ordinance by such Company.

"Terms" defined.

6. For the purposes of this Ordinance the term "Township" shall mean a place declared to be a Township for the purposes of the East Africa Townships Ordinance, 1903, and the term "owner" in relation to any land in respect of which a plan has been deposited under Section 3 of the Ordinance shall mean the person by whom or on whose behalf such plan shall have been deposited.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 11 OF 1913.

An Ordinance to supply a further sum of money for the service of the year ending the 31st of March, 1913.

[13th October, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Public Revenue charged.

1. The public revenue for the year 1912-13, and other funds of the East Africa Protectorate are hereby charged towards the service of the year ended 31st day of March, 1913, with a further sum of thirty-nine thousand three hundred and forty-four pounds two shillings and five pence, in addition to the sums provided by the Appropriation Ordinance, 1912.

Application of money granted.

2. The money granted by this Ordinance shall be applied to the purposes and services expressed in the schedule annexed hereto.

Treasurer's authority for payment.

3. The Treasurer of the Protectorate is hereby authorised and required, from time to time, upon warrant or order of the Governor, to pay out of the Revenue and other funds of the Protectorate, for the several services specified in the schedule, the said sum of thirty-nine thousand three hundred and forty-four pounds two shillings and five pence, which have come in course of payment during the year ended on the 31st day of March, 1913.

Short Title.

4. This Ordinance may be cited as "The Supplementary Appropriation Ordinance, 1913."

Schedule.

HEADS OF EXPENDITURE.		AMOUNT.		
		£	s.	d.
2.	Pensions	103	15	7
3.	His Excellency the Governor	585	10	11
6.	Provincial Administration	3,775	8	0
6a.	Provincial Administration, Special Expenditure	1,468	13	0
13.	Prisons	797	12	1
13a.	Prisons Special Expenditure	350	12	6
14.	Medical Department	823	8	1
18a.	Military, Special Expenditure	5,946	10	1
19.	Miscellaneous Services	1,674	10	4
21.	Post Office and Telegraphs	305	9	9
22a.	Railway Special Expenditure	13,327	15	5
23.	Agricultural Department	2,140	6	1
23a.	do do Special Expenditure	233	18	8
24.	Forest Department	59	12	8
25.	Game Department	110	11	3
30.	Public Works Recurrent	2,510	11	0
32.	Abolition of Slavery	2,365	9	4
35.	Special Expenditure for Magadi	2,764	7	8
Total		£ 39,344	2	5

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 12 OF 1913.

An Ordinance to make further and better provision for the Regulation of Wireless Telegraphy

[13th October, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof :—

1. This Ordinance may be cited as “The Wireless Telegraphy Ordinance, Short Title. 1913.

2. The expression “wireless telegraphy” means any system of communication by telegraph as defined by The Indian Telegraph Act 1883 without the aid of any wire connecting the points from and at which the messages or other communications are sent and received. Interpretation.

Provided that nothing in this Ordinance shall prevent any person from making or using electrical apparatus for actuating machinery or for any purpose other than the transmission of messages.

3. The Governor may whenever he shall deem it expedient to do so, licence the establishment of any wireless telegraph station or the installation or working of any apparatus for wireless telegraphy in any place in the Protectorate or on board any British ship registered in the Protectorate. Licences for wireless telegraphy may be granted by the Governor.

4. (1) No person shall establish any wireless telegraph station or instal or work any apparatus for wireless telegraphy in any place in the Protectorate or on board any British ship registered in the Protectorate except under and in accordance with a licence granted in that behalf by the Governor. Licences for wireless telegraphy.

(2) Every such licence shall be in such form and for such period as the Governor may determine and shall contain such terms, conditions and restrictions on and subject to which the licence is granted as the Governor shall consider desirable in the public interest.

5. (1) If any person establishes a wireless telegraph station without a licence in that behalf or instal or works any apparatus for wireless telegraphy without a licence in that behalf he shall be liable to a fine not exceeding one thousand and five hundred rupees or to imprisonment of either description for a term not exceeding twelve months and in either case be liable to forfeit any apparatus for wireless telegraphy installed or worked without a licence but no proceedings shall be taken against any person under this Ordinance except with the previous sanction of the Attorney General. Penalty for establishing a station or working apparatus without a licence.

(2) If a Magistrate is satisfied by information on oath that there is reasonable ground for believing that a wireless telegraph station has been established without a licence in that behalf or that any apparatus for wireless telegraphy has been installed or worked in any place or on board any ship within the jurisdiction without a licence in that behalf he may grant a search warrant to any police officer to enter and inspect the station, place or ship and to seize any apparatus which appears to him to be used or intended to be used for wireless telegraphy therein.

Power to make Regulations.

6. (1) The Governor may make regulations for all or any of the following matters:—
- (i) for prescribing the form and manner in which applications for licences under this Ordinance are to be made;
 - (ii) for prescribing the fees payable on the grant of any licence;
 - (iii) for regulating the manner in which apparatus for wireless telegraphy on board a merchant ship whether British or foreign in the waters of the Protectorate shall be worked so as to prevent interference with naval signalling or the working of any wireless telegraph station lawfully established, installed or worked in the Protectorate or the waters thereof and so as not to interrupt or interfere with the transmission of any wireless messages between wireless telegraph stations established as aforesaid on land and wireless telegraph stations established on ships at sea;
 - (iv) for prohibiting except with the special or general permission of the Postmaster General of the Protectorate the working or using of any apparatus for wireless telegraphy on board a merchant ship whether British or foreign whilst such ship is in any of the harbours of the Protectorate;
 - (v) for prohibiting or regulating in case at any time in the opinion of the Governor an emergency has arisen in which it is expedient for the public service that His Majesty's Government should have control over the transmission of messages by wireless telegraphy on board merchant ships whether British or foreign in the waters of the Protectorate the use of wireless telegraphy on board such ships while in such waters by such further rules as the Governor may see fit to make from time to time and either in all cases or in such cases as may be deemed desirable.
- (2) Provided that no regulations made in respect of the matters described in paragraphs (iii) (iv) and (v) of this section shall apply to the use of wireless telegraphy for the purpose of making or answering signals of distress.

Licences for experimental purposes.

7. When an applicant for a licence proves to the satisfaction of the Governor that the sole object of obtaining the licence is to enable him to conduct experiments in wireless telegraphy a licence for that purpose shall be granted subject to such special terms, conditions and restrictions as the Governor may think proper but shall not be subject to any rent or royalty.

Penalties.

8. (1) Every omission or neglect to comply with and every act done or attempted to be done contrary to the provisions of this Ordinance or of any Regulation made thereunder or in breach of the conditions and restrictions subject to or upon which any licence has been issued shall be deemed to be an offence against this Ordinance and for every such offence not otherwise specially provided for the offender shall in addition to the forfeiture of any articles seized be liable to a fine of seven hundred and fifty rupees.
- (2) All convictions, forfeitures and fines under this Ordinance or any Regulations thereunder may be had and recovered before a Magistrate of the first class, and every such Magistrate shall have jurisdiction to pass any sentence authorised by this Ordinance on any European or other Non-Native convicted of an offence against this Ordinance notwithstanding anything in any Ordinance or law limiting the jurisdiction of such Magistrate over Europeans and Non-Natives.

Repeal.

9. The Wireless Telegraphy Ordinance, 1908, is hereby repealed. Provided however—

- (1) Every licence granted under the said Ordinance and in force at the commencement of this Ordinance shall be deemed to have been granted under this Ordinance.
- (2) All Regulations made under the said Ordinance and in force at the commencement of this Ordinance shall be deemed to have been made under this Ordinance and shall continue in force until other provision is made.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 13 OF 1913.

An Ordinance to amend the Lamu Boat Registration Ordinance, 1906.

[13th October, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as “The Lamu Boat Registration (Amendment) Ordinance, 1913,” and shall be read as one with the Lamu Boat Registration Ordinance, 1906, hereinafter referred to as the Principal Ordinance, Short Title.
2. (1) The Schedule to the Principal Ordinance is hereby repealed and there shall be substituted therefor the Schedule hereto. Repeal of Schedule to Principal Ordinance and substitution of new Schedule.
- (2) The Governor may from time to time by notice in the “Gazette” cancel, alter or add to the Scale of Fees and the Tariff of Fares set forth in the Schedule hereto, and on the publication of such notice the said Schedule shall be deemed to be amended in accordance with the terms of such notice. Power to Governor to alter, etc., fees and tariffs.
3. (1) The Governor may issue rules regulating any matters or things in connection with boats licensed under the Principal Ordinance and the owners and members of the crew of such boats which in his opinion may require to be regulated. Governor may issue rules.
- (2) Any person who shall be guilty of a breach of any such rule shall be liable to the penalties prescribed for a breach of the provisions of the Principal Ordinance. Penalties on breach of the Ordinance.

SCHEDULE.

Table of fees under the Registration of Boats at Lamu Ordinance, No. 22 of 1906**SCALE OF FEES UNDER SECTION 2.**

LICENCES FOR BOATS AT LAMU AND SHELLA.

3rd Class passenger boats under 4 tons.....	Rs. 5 per year.
2nd Class passenger boats from 4 to 7 tons.....	Rs. 10 per year.
1st Class passenger boats over 7 tons.....	Rs. 12 per year.

TARIFF OF FARES REFERRED TO IN SECTION 5.

	From Lamu to Steamer in harbour.		From Lamu to Steamer at Shella.		From Shella beach to Steamer at Lamu.		From Shella beach to Steamer off Shella.	
	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.	Rs.	Cts.
TIME FROM 6 A.M. TO 8 P.M.								
For all classes of boats, per passenger single trip.		19	†	25	†	25		12
Per box or package (personal luggage), single trip.		9		12		12		6
Tariff for cargo, per 100 packages, single trip.	10		12		12		10	

† The minimum charges in these two cases shall be not less than one rupee for single trip.

NOTE:—For each passenger double journey, double the above fares and 25 cents extra for every hours detention.

Between 8 p.m., and 6 a.m. double the above fares and 50 cents extra for every hour's detention.

	Rs.	Cts.
For 1st Class boats for a whole day ...	6	0
do do do for half a day ...	4	0
For 2nd Class boats for a whole day ...	5	0
do do do for half a day ...	3	0
For 3rd Class boats for a whole day ...	3	0
do do do for half a day ...	2	0
25 cents for every hour's detention.		

NOTE:—Whole day 6 a.m. to 8 p.m.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 14 OF 1913.

An Ordinance to make provision for the suppression of the Abuse of Opium and certain other Opiates.

[13th October, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as “The Abuse of Opiates Prevention Ordinance, 1913” and shall come into operation on the 1st day of January, 1914.

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

“Druggist” shall mean a person duly registered and licensed as a Druggist in accordance with the provisions of The Drugs and Poisons Ordinance, 1909.

“Medical Practitioner” shall mean a duly qualified Medical Practitioner.

“Opiates” mean opium, bhang, morphine, cocaine and heroine, and any other product or preparation which the Governor may, from time to time, by notice in the “Gazette” declare to be included in the said term.

“Opium” includes raw opium, prepared opium, medicinal opium, and such substances, being extracts of opium, as the Governor may, from time to time, by notice in the “Gazette” declare to be included.

“Raw Opium” means the spontaneously coagulated juice obtained from the capsules of the papaver somniferum, which has only been submitted to the necessary manipulations for packing and transport.

“Prepared Opium” means the product of raw opium, obtained by a series of special operations, especially by dissolving, boiling, roasting and fermentations, designed to transform it into an extract suitable for consumption, and includes dross and other residues remaining when opium has been smoked.

“Medicinal Opium” means raw opium which has been heated to 60° centigrade and contains not less than 10 per cent of morphine, whether or not it be powdered or granulated or mixed with indifferent materials.

“Morphine” means the principal alkaloid of opium, having the chemical formula $C_{17}H_{19}NO_3$, and includes its salts and all preparations containing more than 0.2 per cent of morphine.

“Cocaine” means the principal alkaloid of the leaves of Erythroxylon Coca, having the formula $C_{17}H_{21}NO_4$, and includes its salts and all preparations containing more than 0.1 per cent of cocaine.

“Heroine” means Diacetyl-morphine, having the formula $C_{21}H_{23}NO_5$, and includes its salts and preparations containing more than 0.1 per cent of heroine.

“Medical Officer” means a Medical Practitioner in the service of the Medical Department of the Government.

Short Title and commencement.

Definitions.

3. It shall be the duty of every Medical Practitioner and every Druggist who, at the date of the coming into operation of this Ordinance, is in possession of opiates to make a return to the Principal Medical Officer of all stocks of opiates in their possession and the Principal Medical Officer shall issue a permit authorizing the possession of the stocks so declared. Every such return shall be made prior to a date to be notified in the "Gazette" and in a form prescribed by Rules.

Medical Practitioners and Druggists to make returns of the quantity of opiates in stock at date of operation of this Ordinance.

Any person as aforesaid who fails to make such return as aforesaid within the prescribed period or who sells or is found in possession of any opiate without having obtained a permit under this section shall be liable, on conviction, to the penalties mentioned in section 4 of this Ordinance.

4. (1) From and after the coming into operation of this Ordinance no person (other than a Druggist or a Medical Practitioner) shall import into the Protectorate any opiate, and no Druggist or Medical Practitioner shall import any opiate unless authorised by a permit stating the quantity which may be imported and signed by the Principal Medical Officer; and such permit shall be in the form and shall contain such conditions as may be prescribed by Rules.

Prohibition of importation of opiates except under permit issued only to Chemists and Druggists.

(2) Any officer of Customs may detain any such substance imported into the Protectorate after the coming into operation of this Ordinance until a permit under this section has been produced in respect thereof.

(3) Any person contravening the provisions of this section or the conditions of any permit issued thereunder shall be liable, on conviction, to a fine not exceeding 750 Rupees and in default of payment to imprisonment of either description for a period not exceeding six months or to such imprisonment without the option of a fine or to both such fine and such imprisonment and any opiate suspected of having been unlawfully imported may be seized and if any person be convicted of a contravention of this section or the conditions of such permit aforesaid the opiate in respect of which such contravention shall take place shall be forfeited.

(4) No permit shall be granted under sub-section (1) of this section authorising the importation of prepared opium.

5. (1) It shall be unlawful for any person to produce, manufacture, or export any opiate, except under and in accordance with the conditions of a licence on that behalf, granted under this Ordinance.

Production, manufacture, and export of opiates prohibited.

(2) Save as in this Ordinance provided no person shall sell or supply any opiate, anything in the Drugs and Poisons Ordinance, 1909, notwithstanding.

Sale of opiates prohibited except as by this Ordinance provided.

(3) Any person contravening the provisions of sub-section (1) or sub-section (2) of this section shall be liable, on conviction, to the penalties mentioned in section 4 of this Ordinance.

6. Every Medical Practitioner or Druggist may purchase any opiate from any person authorised under section 3 to possess or under section 4 to import such opiate provided that no such purchase shall be effected except upon a request in writing signed by the purchaser stating the quantity which he desires to purchase and such written request shall be retained and preserved by the seller and shall be open to the inspection of the Principal Medical Officer or such other person as may be authorised in writing by him or by any Magistrate

Conditions of purchase by Medical Practitioners and Druggists.

7. Every person entitled under section 3 to possess or under section 4 to import or under section 6 to purchase any opiate may keep and sell the same subject to the provisions of this Ordinance and shall cause to be entered in a book to be exclusively kept for the purpose:—

Persons entitled to possess, import or sell opiates, to keep books containing records for inspection of Principal Medical Officer and authorised persons.

(i) the quantity of opiates imported or acquired.

(ii) the date of its importation or acquisition.

(iii) the person from whom and the place from which the same was imported or acquired.

(iv) the quantity which has been disposed of and whether by sale or process of compounding; and if such disposal be by sale the date of such sale and the name and address of such purchaser, and if sold under a permit the number of the permit issued under section 10 of this

Ordinance or if sold under the prescription of a Medical Practitioner a reference to the prescription, unless the opiate aforesaid has been sold under section 6 in which case the facts relating to such sale shall be entered in the book.

Every such book shall be kept so as to clearly show in addition to the purchases and sales the amount of opiates held in stock and every such book shall be open to the inspection of the Principal Medical Officer or such other person as may be authorised in writing by him or by any Magistrate.

Penalty for contravening provisions and requirements of sections 6 and 7.

8. Any person who shall sell any opiate to a Medical Practitioner or Druggist in contravention of the provisions of section 6 and any Medical Practitioner or Druggist who shall purchase any opiate from a person not authorised under section 3 to possess or under section 4 to import such substance and any person required by sections 6 or 7 to keep such written request to purchase or book as therein described who shall not keep such written request or book or who shall fail to produce the same for inspection when demanded by the Principal Medical Officer or person authorised by him or by a Magistrate as aforesaid shall on conviction be liable to a fine not exceeding 750 Rupees and in default of payment to imprisonment of either description for a period not exceeding 6 months or to such imprisonment without the option of a fine or to both such fine and such imprisonment.

Penalty for being in possession of opiate except as by this Ordinance allowed.

9. Any person who shall have in his possession or on any premises occupied by him any opiate (except the opiate shall have been lawfully sold or supplied to him by a Medical Practitioner or Druggist) unless he be a person authorised in accordance with this Ordinance to keep for sale or sell or to manufacture or produce the same shall be liable on conviction in addition to any penalties to which he may be otherwise liable under this Ordinance or any other law to a fine not exceeding 750 Rupees and in default of payment to imprisonment of either description for a period not exceeding 6 months or to such imprisonment without the option of a fine or to both such fine and such imprisonment and any such opiate found shall be forfeited.

As to the sale of opium to persons who have acquired the opium habit.

10. (1) During a period of 6 months immediately succeeding the date of the commencement of this Ordinance, but not afterwards, any Medical Officer may, in his discretion, grant to a person residing in the district or place for which he is appointed:

- (a) who, in his opinion, acquired the habit of opium smoking or opium consumption prior to that date; and
- (b) whose health would, in his opinion, be detrimentally affected by an immediate discontinuance of that habit;

a written permission to possess opium during such time as may be specified in the permit, which time shall not exceed the period above-mentioned. The quantity in respect of which the permit is granted shall be specified therein and shall not exceed four ounces for one month.

(2) No such permit shall be granted unless the person aforesaid gives his full name and address and impresses upon the permit and upon the Medical Officer's records his digit prints.

(3) Any such permit shall be an authority to any Medical Practitioner or Druggist to sell, during the period specified in the permit, to the person to whom the permit was granted the quantity of opium named therein or as the case may be the remainder of the quantity not yet supplied thereunder, and shall further be an authority to that person to be in possession of such quantity or remainder; but no opium shall be sold or supplied upon the authority of such permit unless that person furnishes to the seller or supplier his full name and address and impresses on the records which the seller or supplier is required as aforesaid to keep, his digit prints. The seller or supplier shall endorse upon the permit the date of the sale or supply, the quantity sold or supplied, and his signature.

11. (1) Any opiate may be sold by a Medical Practitioner or Druggist when prescribed by a Medical Practitioner as an incidental ingredient in any medicine, or when it occurs as an incidental ingredient in any recognised pharmacopœial preparation.

(2) Any opiate may be sold or supplied by a Medical Practitioner or Druggist to a duly qualified Analytical Chemist for analysis or to be used solely in connection with his work as an Analytical Chemist.

Sale of opiate for medicinal purposes.

12. (1) Any opiate may, after the promulgation of this Ordinance, also be sold or supplied for strictly medicinal purposes by a Medical Practitioner or Druggist upon a prescription of a Medical Practitioner. Every prescription of a Medical Practitioner issued under this sub-section which prescribes an opiate for medicinal purposes shall state :—
- (a) the quantity which may be sold or supplied thereon;
 - (b) the name and address of the person for whom it is prescribed;
 - (c) the full name and address of the Medical Practitioner.
- (2) Every person selling or supplying any opiate under the provisions of sub-section (1) hereof shall retain the prescription upon which it was sold or supplied and any such person selling or supplying an opiate who shall fail so to retain the prescription shall be liable on conviction to the penalties mentioned in section 8.
- (3) The provisions of section 7 relative to the inspection of books and of section 8 relative to the failure to produce books for inspection shall *mutatis mutandis* apply for the purpose of enabling prescriptions mentioned in this section to be inspected.
- (4) In any case in which the Principal Medical Officer, on information supplied, has reason to suspect that a Medical Practitioner has prescribed an opiate in accordance with the provisions of this section for other than strictly medicinal purposes or in an excessive quantity, he shall report the circumstances of the case to the Board for enquiry under section 16 of the Medical Practitioners and Dentists Ordinance, 1910, and the Board may, on proof of the facts, recommend that the name of such Medical Practitioner be erased from the register or his licence cancelled.
13. (1) No person shall be in possession of any pipes, receptacles or materials habitually used for opium or bhang smoking or opium or bhang consumption nor shall any person keep any premises for opium or bhang smoking or opium bhang consumption.
- (2) Any person who contravenes this section shall be liable to the penalties prescribed under section 9 and the pipes, receptacles or materials shall be forfeited.
14. Any police officer having a written authority from a Magistrate, Justice of the Peace, or European officer of police of or above the rank of Inspector may enter and search any premises, place, vessel or vehicle if such police officer shall have reasonable grounds for suspecting that any opiate, pipe, receptacle or material is kept in contravention of this Ordinance and if any such opiate, pipe, receptacle or material be found on such search it may be seized and removed and on conviction of the owner of the premises, place, vessel or vehicle or of the person found in possession of the opiate or other article of a contravention of any provision of this Ordinance it shall be forfeited: Provided always that if it appears that any delay occasioned by obtaining such written authority will defeat the objects of this section such police officer may exercise the powers conferred hereby without any such written authority aforesaid but he shall as soon as possible report what he has done to the Superintendent of Police of the District or to a Magistrate.
15. (1) The burden of proving any fact which would be a defence to a charge of contravening any provision of this Ordinance shall lie upon the person charged.
- (2) Any person required by this Ordinance to be in possession of a permit or licence to possess, import, purchase, obtain, produce, manufacture or export an opiate shall be deemed to be without such permit unless he shall produce or give satisfactory proof of possessing the same.
16. (1) In any contravention of sections 4, 6, 7, 8, and 12 of this Ordinance a Medical Practitioner or Druggist shall be liable to the penalties prescribed for such contravention though the act or default constituting such contravention was that of an apprentice, clerk, servant or agent in the employ of such Medical Practitioner or Druggist unless he shall satisfy the Court that such act or default was not due to his negligence in the supervision or direction of such apprentice, clerk, servant or agent.

Sale of opiate for medicinal purposes and duties of persons selling same defined.

Prohibition of possession of pipes or materials for opium smoking or opium consumption.

Power to police to enter and search premises where it is reasonably suspected that opiates, etc., are kept in contravention of this Ordinance.

Burden of proof.

Persons liable to penalties.

- (2) Every Director and Manager of a Company shall be liable to the penalties for a contravention of this Ordinance by such Company.

Destruction of
forfeited opiate.

17. All opiates forfeited under the provisions of this Ordinance shall, unless the Principal Medical Officer otherwise directs, be burnt or destroyed in the presence of a European officer of police who shall transmit to the Principal Medical Officer a certificate under his hand stating the circumstances under which the forfeiture took place, the amount forfeited, and other particulars showing his compliance with this section.

Power to make
Rules.

18. The Governor may, from time to time, make, alter, and rescind Rules not inconsistent with the provisions of this Ordinance for any of the purposes following:--

- (1) Providing for the granting of licences for the production, manufacture and exportation of any opiate; prescribing the conditions to be attached to any such licence, and the fees to be paid for the same;
- (2) For regulating or prohibiting the growing of Indian hemp;
- (3) For regulating or prohibiting the importation or possession of Indian hemp seed or any variety of poppy seed;
- (4) Generally for the better carrying out of the objects and purposes of this Ordinance.

Repeal

19. The enactments mentioned in the Schedule hereto are hereby repealed to the extent specified in the second column thereof, except as to offences committed or pending under any such repealed enactments.

Schedule.

Table of Law.	Extent of Repeal.
The Opium Regulations, 1902, (No. 5 of 1902).	The whole.
The Drugs and Poisons Ordinance, 1909. (No. 20 of 1909).	Section 31.

E A S T A F R I C A P R O T E C T O R A T E .

AN ORDINANCE

No. 15 OF 1913.

An Ordinance to Regulate the Business of Pawnbroking.

[13th October, 1913.]

BE it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short Title.

1. This Ordinance may be cited as “The Pawnbrokers Ordinance, 1913,” and shall come into operation on the 1st day of January, 1914.

Effect of
schedules.

2. The Schedules to this Ordinance including the notes thereto shall have effect as part of the Ordinance.

Definitions.

3. In this Ordinance:—

“Pawnbroker” includes every person who carries on the business of taking goods and chattels in pawn.

“Pledge” means an article pawned with a pawnbroker.

“Pawner” means a person delivering an article for pawn to a pawnbroker.

“Shop” includes dwelling-house and warehouse, or other place of business, or place where business is transacted.

“Unfinished goods or materials” includes any goods of any manufacture or of any part or branch of any manufacture either mixed or separate or any material whatever plainly intended for the composing or manufacturing of any goods, after such goods or materials are put into a state or course of manufacture or into a state for any process or operation to be performed thereupon or therewith and before the same are completed or finished for the purpose of wear or consumption.

4. In order to prevent evasion of the provisions of this Ordinance, the following persons shall be deemed to be persons carrying on the business of taking goods and chattels in pawn (that is to say), every person who keeps a shop for the purchase or sale of goods or chattels, or for taking in goods or chattels by way of security for money advanced thereon, and who purchases or receives or takes in goods or chattels, and pays or advances or lends thereon any sum of money not exceeding 150 rupees with or under an agreement or understanding expressed or implied, or to be from the nature and character of the dealing reasonably inferred, that those goods or chattels may be afterwards redeemed or repurchased on any terms; and every such transaction, article, payment, advance, and loan shall be deemed a pawning, pledge, and loan respectively within this Ordinance.

5. The provisions of this Ordinance relating to pawnbrokers shall extend to and include the executors or administrators of deceased pawnbrokers, except that an executor or administrator shall not be answerable for any penalty or forfeiture personally or out of his own estate, unless the same is incurred by his own act or neglect.

6. For the purposes of this Ordinance anything done or omitted by the servant, apprentice, or agent of a pawnbroker in the course of or in relation to the business of the pawnbroker shall be deemed to be done or omitted (as the case may be) by the pawnbroker; and anything by this Ordinance authorised to be done by a pawnbroker may be done by his servant, apprentice, or agent.

7. The rights, powers, and benefits by this Ordinance reserved to and conferred on pawners shall extend to and be deemed to be reserved to and conferred on the assigns of pawners, and to and on the executors or administrators of deceased pawners; but any person representing himself to a pawnbroker to be the assign, executor, or administrator of a pawner shall, if required by the pawnbroker, produce to the pawnbroker the assignment, probate, letters of administration, or other instrument under which he claims.

8. This Ordinance shall apply:—

- (1) To every loan by a pawnbroker of thirty rupees or under.
- (2) To every loan by a pawnbroker of above thirty rupees and not above an hundred and fifty rupees, except as in this Ordinance otherwise provided in relation to cases where a special contract respecting the terms of the loan (as authorised by this Ordinance) is made between the pawner and the pawnbroker at the time of the pawning.

Nothing in this Ordinance shall apply to a loan by a pawnbroker of above one hundred and fifty rupees, or to the pledge on which the loan is made, or to the pawnbroker or pawner in relation to the loan or pledge: and notwithstanding anything in this Ordinance, a person shall not be deemed a pawnbroker by reason only of his paying, advancing, or lending on any terms any sum or sums of above one hundred and fifty rupees.

9. A pawnbroker shall keep and use in his business such books and documents as are described in the 1st Schedule to this Ordinance in the forms therein indicated or to the like effect, and shall from time to time as occasion requires enter therein in English and in a fair and legible manner the particulars indicated in and in accordance with the directions of that Schedule and shall make all enquiries necessary for that purpose.

If a pawnbroker fails in any respect to comply with the requisitions of this section he shall be guilty of an offence against this Ordinance.

10. (1) A pawnbroker shall always keep exhibited in large characters over the outer door of his shop his name or names with the word “Pawnbroker.”

(2) He shall always keep placed in a conspicuous part of his shop (so as to be legible by every person pawning or redeeming pledges standing in any box or part of the shop provided for persons pawning or redeeming pledges) the same information as is by the rules of the Schedule to this Ordinance required to be printed on pawn-tickets.

To permit the police to enter and inspect.

(3) A pawnbroker shall allow the police at any time to enter and inspect his premises and any article or thing taken in pawn and his books and papers relating to his business on production of an order from a Magistrate, a Superintendent, or Assistant Superintendent of police.

If a pawnbroker fails in any respect to comply with the requisitions of this section he shall be guilty of an offence against this Ordinance.

Pawning, Redemption, Sale.

Pawn-tickets.

11. A pawnbroker shall on taking a pledge in pawn give to the pawner a pawn-ticket in the prescribed form and shall not take a pledge in pawn unless the pawner takes the pawn-ticket.

Profit and charges allowed to pawnbrokers.

12. A pawnbroker may take profit on a loan on a pledge at a rate not exceeding that specified in the 2nd Schedule to this Ordinance.

A pawnbroker may demand and take the charges specified in the same Schedule, in the cases and according to the rules therein stated and prescribed.

A pawnbroker shall not, in respect of a loan on a pledge, take any profit or demand or take any charge or sum whatever, other than those specified in the same Schedule.

A pawnbroker shall, if required at the time of redemption, give a receipt for the amount of loan and profit paid to him; and such a receipt shall not be liable to stamp duty unless the profit amounts to Rs. 30/- or more.

Period within which pledges, pawned for Rs. 7/50 or under, are redeemable.

13. (1) Every pledge pawned for Rs. 7/50 or under shall be redeemable within six months from the day of pawning, exclusive of that day; and there shall be added to that six months of redemption 7 days of grace within which every such pledge (if not redeemed within the six months of redemption) shall continue to be redeemable.

Period within which pledges, pawned for above Rs. 7/50, are redeemable.

(2) Every pledge pawned for above Rs. 7/50 shall be redeemable within 12 months from the day of pawning, exclusive of that day; and there shall be added to that twelve months of redemption 7 days of grace within which every such pledge (if not redeemed within the year of redemption) shall continue redeemable.

Pledges for Rupees 7-50 or under, not redeemed in time forfeited.

14. A pledge pawned for Rs. 7/50 or under, if not redeemed within the six months and days of grace, shall at the end of the days of grace become and be the pawnbroker's absolute property.

Pledges above Rs. 7-50 redeemable until sale.

15. A pledge pawned for above Rs. 7/50 shall further continue redeemable until it is disposed of as in this Ordinance provided, although the year of redemption and days of grace are expired.

Sale by auction of pledges above Rs. 7-50.

16. A pledge pawned for more than Rs. 7/50 shall, when disposed of by the pawnbroker, be disposed of by public auction and not otherwise; and the regulations in the 3rd Schedule to this Ordinance shall be observed with reference to the sale.

A pawnbroker may bid for and purchase at a sale by auction, made or purporting to be made under this Ordinance, a pledge pawned with him; and on such purchase he shall be deemed the absolute owner of the pledge purchased.

Offences by auctioneers.

17. If an auctioneer does anything in contravention of the provisions of this Ordinance relating to auctioneers or fails to do anything which he is required by this Ordinance to do, he shall be guilty of an offence against this Ordinance.

Power to inspect sale book.

18. At any time within 3 years after the auction at which a pledge pawned for above Rs. 7/50 is sold, the holder of the pawn-ticket may inspect the entry of the sale in the pawnbroker's book, and in the filled up catalogue of the auction (authenticated by the signature of the auctioneer) or in either of them.

Pawnbroker to account for surplus within three years, subject to set-off.

19. Where a pledge pawned for above Rs. 7/50 is sold and appears from the pawnbroker's book to have been sold for more than the amount of the loan and profit due at the time of sale, the pawnbroker shall on demand pay the

surplus to the holder of the pawn-ticket in case the demand is made within 3 years after the sale, the necessary costs and charges of the sale being first deducted.

If on any such demand it appears from the pawnbroker's book that the sale of a pledge or pledges has resulted in a surplus, and that within 12 months before or after that sale the sale of another pledge or other pledges of the same person has resulted in a deficit, the pawnbroker may set off the deficit against the surplus, and shall be liable to pay the balance only after such set off.

20. If with respect to pledges for loans of above Rs. 7/50 a pawnbroker :— Offences as to pledges for above Rs. 7-50
- (1) Does not *bonâ fide* according to the directions of this Ordinance sell a pledge pawned with him ;
 - (2) Enters in his book a pledge as sold for less than the sum for which it was sold or fails duly to enter the same ;
 - (3) Refuses to permit any person entitled under this Ordinance to inspection of an entry of sale in the pawnbroker's book, or of a filled-up catalogue of the auction authenticated by the auctioneer's signature, to inspect the same ;
 - (4) Fails without lawful excuse (proof whereof shall lie on him) to produce such a catalogue on lawful demand ;
 - (5) Refuses to pay on demand the surplus to the person entitled to receive the same ;

he shall in every such case be guilty of an offence against this Ordinance and shall be liable on conviction to forfeit to the person aggrieved a sum not exceeding Rs. 150.

Special Contracts.

21. Notwithstanding anything in this Ordinance a pawnbroker may make a special contract with the pawner in respect of a pledge on which the pawnbroker makes a loan of above Rs. 30/-, provided always that :— Power to make special contracts subject to restrictions.

- (1) The pawnbroker at the time of the pawning shall deliver to the pawner a special contract pawn-ticket signed by the pawnbroker.
- (2) A duplicate of the special contract pawn-ticket shall be signed by the pawner.

The provisions of this Ordinance, save as far as the application thereof is excluded by the terms of the special contract, shall apply thereto.

A special contract pawn-ticket or the duplicate thereof shall not be subject to stamp duty.

Delivery up of Pledge.

22. The holder for the time being of a pawn-ticket shall be presumed to be the person entitled to redeem the pledge, and subject to the provisions of this Ordinance, the pawnbroker shall accordingly (on payment of the loan and profit) deliver the pledge to the person producing the pawn-ticket and he is hereby indemnified for so doing. Holder of pawn-ticket entitled to redeem.

23. A pawnbroker shall not (except as in this Ordinance provided) be bound to deliver back a pledge unless the pawn-ticket for it is delivered to him. Production of pawn-ticket on redemption.

24. Where a pledge is destroyed or damaged by or in consequence of fire, the pawnbroker shall nevertheless be liable on application within the period during which the pledge would have been redeemable to pay the value of the pledge after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and 25% on the amount of the loan. Liability of pawnbroker in case of fire.

A pawnbroker shall be entitled to insure to the extent of the value so estimated.

25. If a person entitled and offering to redeem a pledge shows to the satisfaction of a Magistrate that the pledge has become or has been rendered less value than it was at the time of the pawning thereof by or through the default or neglect or wilful misbehaviour of the pawnbroker, the Magistrate may if he thinks fit award a reasonable satisfaction to the owner of the pledge in respect of the damage, and the amount awarded shall be deducted from the amount payable to the pawnbroker or shall be paid by the pawnbroker (as the case requires) in such manner as the Magistrate directs. Compensation of pledge.

Protection of owners and of pawners not having pawn-tickets.

26. The following provisions shall have effect for protection of owners of articles pawned, and of pawners not having their pawn-tickets to produce :—

- 1 Any person claiming to be the owner of a pledge but not holding the pawn-ticket or any person claiming to be entitled to hold a pawn-ticket but alleging that the same has been lost, mislaid, destroyed or stolen or fraudulently obtained from him may apply to the pawnbroker for a printed form of declaration, which the pawnbroker shall deliver to him.
- (2) If the applicant delivers back to the pawnbroker the declaration duly made before a Magistrate or Justice of the Peace by the applicant and a person identifying him, the applicant shall thereupon have as between him and the pawnbroker all the same rights and remedies as if he had produced the pawn-ticket ; provided that such a declaration shall not be effectual for that purpose unless it is duly made and delivered back to the pawnbroker within 5 days after the day on which the form is delivered to the applicant by the pawnbroker.
- (3) The pawnbroker is hereby indemnified for not delivering the pledge to any person until the expiration of the period aforesaid.
- (4) The pawnbroker is further hereby indemnified for delivering the pledge or otherwise acting in conformity with the declaration, unless he has actual or constructive notice that the declaration is fraudulent or is false in any material particular.

If a person makes a declaration under this Ordinance, either as an applicant or as identifying an applicant, which is false and which he either knows or believes to be false or does not believe to be true, he shall be guilty of an offence and on conviction shall be liable to imprisonment of either description for a term not exceeding three years or to a fine not exceeding one thousand five hundred rupees or to both.

Delivery to owner of property unlawfully pawned.

27. In each of the following cases :—

- (1) If any person is convicted under this Ordinance before a Court of knowingly and designedly pawning with a pawnbroker anything being the property of another person, the pawner not being employed or authorised by the owner thereof to pawn the same ; or
- (2) If any person is convicted before a Court of dishonestly taking, or misappropriating fraudulently or dishonestly obtaining any goods or chattels, and it appears to the Court that the same have been pawned with a pawnbroker ; or
- (3) If in any proceedings before a Court it appears to it that any goods and chattels brought before it have been unlawfully pawned with a pawnbroker,

the Court may, if it thinks fit on proof of the ownership of the goods and chattels, order the delivery thereof to the owner either on payment to the pawnbroker of the amount of the loan or of any part thereof or without payment thereof or of any part thereof, as it thinks fit.

Summary order for delivery of pledge to person entitled.

28. If a pawnbroker, without reasonable excuse (proof whereof shall lie on him), neglects or refuses to deliver a pledge to the person entitled to delivery thereof under this Ordinance, he shall be guilty of an offence and a Magistrate may if he thinks fit with or without imposing a penalty order the delivery of the pledge on payment of the amount of the loan and profit.

General Restrictions on Pawnbrokers.

Prohibition of taking pledges from children, etc.

29. If a pawnbroker does any of the following things :—

- (1) Takes an article in pawn from any person appearing to be under the age of 14 years or to be intoxicated ;
- (2) Purchases or takes in pawn or exchange a pawn-ticket issued by another pawnbroker ;
- (3) Employs any person under 14 years of age to take pledges in pawn ;
- (4) Under any pretence purchases, except at public auction, any pledge while in pawn with him ;

- (5) Suffers any pledge while in pawn with him to be redeemed with a view to his purchasing it;
- (6) Makes any contract or agreement with any person pawning or offering to pawn any article, or with the owner thereof for the purchase, sale or disposition thereof within the time of redemption;
- (7) Sells or otherwise disposes of any pledge pawned with him except at such times and in such manner as authorised by this Ordinance;

he shall be deemed guilty of an offence against this Ordinance.

Unlawful Pawning and taking in Pawn.

30. If any person does any of the following things:—

- (1) Knowingly and designedly pawns with a pawnbroker anything being the property of any other person employed or authorised by the owner thereof to pawn the same; Unlawful pawning of goods not being the property of the pawnner.
- (2) Offers to a pawnbroker an article by way of pawn, being unable or refusing to give a satisfactory account of the means by which he became possessed of the article;
- (3) Wilfully gives false information to a pawnbroker as to whether an article offered by him in pawn to the pawnbroker is his own property or not or as to his name or address, or as to the name and address of the owner of the article;
- (4) Not being entitled to redeem, and not having any colour of title by law to redeem a pledge attempts or endeavours to redeem the same;

he shall be guilty of an offence against this Ordinance.

31. If a pawnbroker knowingly takes in pawn any linen or apparel or unfinished goods or materials entrusted to any person to wash, scour, iron, mend, manufacture, work up, finish, or make up, he shall be guilty of an offence against this Ordinance and shall be liable on conviction before a Magistrate to forfeit a sum not exceeding double the amount of the loan and shall also be liable to restore the pledge to the owner thereof in the presence of the Magistrate or as he shall direct. Prohibition of taking in pawn linen, unfinished goods, etc.

Licences.

32. Every pawnbroker shall take out from the District Commissioner of the District in which he is carrying on his business a yearly licence for carrying on his business, on which licence there shall be charged and paid a fee of Rs. 20.

Every licence shall be dated on the day on which it is issued and shall expire on the 31st December following. A separate licence shall be taken out and paid for by the pawnbroker for each pawnbroker's shop kept by him. Every licence shall specify the premises on which the licensee may conduct his business and the licensee shall not carry on his business except on the premises specified without the sanction in writing of the District Commissioner.

If a person acts as a pawnbroker without having in force a proper licence, he shall on conviction for every such offence be liable to a fine not exceeding Rs. 750.

33. If a pawnbroker is convicted of any fraud in his business or of receiving stolen goods knowing them to be stolen, the Court before whom he is convicted may, if it thinks fit, direct that his licence shall cease to have effect, and the same shall so cease accordingly. Cesser of licence on conviction.

34. A person intending to apply for the first time for a licence under this Ordinance shall 21 days at least before the application give notice in writing to the Officer in charge of the police in the District in which he intends to carry on business, and shall in the notice set forth his name and address.

35. A licence shall not be refused except on one of the following grounds:— Grounds of refusal of licence.

- (1) That the applicant has failed to produce satisfactory evidence of good character.
- (2) That the shop in which he intends to carry on business of pawnbroker, or any adjacent house or place owned or occupied by him is frequented by thieves or persons of bad character.
- (3) That he has not complied with the last preceding section.

RULE.

All entries in the first, and last five columns respecting each pledge shall be made on the day of the pawning thereof or within four hours after the end of that day.

II—Pawn-Ticket.

A.—FOR LOAN OF RS. 7/50 OR UNDER.

Pawned with (name.....), pawnbroker, (address.....
this.....day of.....191 . by.....of.....for the
sum of.....Rupees,.....

(name of article pawned).

(The following is to be printed on the ticket :—)

The pawnbroker is entitled to charge—

For this ticket.....Cents five.

For profit on each Rs. 2 or part of Rs. 2 lent on this pledge for
not more than one calendar month.....Cents five.

And so on at the same rate, per calendar month.

After the first calendar month any time not exceeding fourteen days will be charged as half a month, and any time exceeding fourteen days and not more than one month will be charged as one month.

This pledge must be redeemed within six calendar months and seven days from the date of pledging. At the end of that time it becomes the property of the pawnbroker.

If the pledge is destroyed or damaged by fire, the pawnbroker will be bound to pay the value of the pledge after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and 25% on the amount of the loan.

If this ticket is lost, mislaid, or stolen, the pawner should at once apply to the pawnbroker for a form of declaration to be made before a Magistrate or Justice of the Peace, or the pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

B.—FOR LOANS OF ABOVE RS. 7/50.

Pawned with (name.....), pawnbroker,.....
at.....this.....day of.....191 .
by.....of.....
for the sum of.....Rupees,.....

(description of article pawned).

(The following is to be printed on the ticket :—)

The pawnbroker is entitled to charge—

For this ticket.....Cents five.

For profit on each Rs. 2 or part of Rs. 2 lent on this pledge for not
more than one calendar month.....Cents six.

And so on at the same rate per calendar month.

After the first calendar month any time not exceeding fourteen days will be charged as half a month and any time exceeding fourteen days and not more than one month will be charged as one month.

If this pledge is not redeemed within twelve calendar months and seven days from the day of pledging, it may be sold by auction by the pawnbroker, but it may be redeemed at any time before the day of sale.

Within three years after sale the pawner may inspect the account of the sale in the pawnbroker's books on payment of cents five, and receive any surplus produced by the sale. But deficit on sale of one pledge may be set off by the pawnbroker against surplus on another.

If the pledge is destroyed or damaged by fire, the pawnbroker will be bound to pay the value of the pledge after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and 25% on the amount of the loan.

If this ticket is lost or mislaid or stolen, the pawner should at once apply to the pawnbroker for a form of declaration to be made before a Magistrate, or the pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

III.—Sale Book of Pledges for Loans Above Rs. 7/50.

(Date and place of sale.)

(Name and place of business of auctioneer.)

No. of Pledge as in Pledge Book.	Date of Pawning.	Name of Pawner.	Amount of Loan.		Amount for which Pledge sold as stated by Auctioneer.
			Rupees	Cts.	

IV.—Declaration where Pledge Claimed by Owner.

Unless this printed form is taken before a Magistrate, or Justice of the Peace and declared to and signed and delivered back to the pawnbroker not later than the.....day of.....191..., the articles mentioned in it will be delivered to any person producing the pawn-ticket.

I, A. B.,.....of....., in pursuance of the Pawnbrokers Ordinance, 1913, do solemnly and sincerely declare that the article (or articles) described below is (or are) my property, and that I believe they are pledged at the shop of.....

The article (or articles) above referred to is (or are) the following :—

And I, C. D.,.....of....., in pursuance of the same Ordinance, do solemnly and sincerely declare that I know the person now making the foregoing declaration to be A. B.,.....of.....

Declared before me, this.....day of.....191....

Magistrate (or Justice of the Peace.)

V.—Declaration where Pawn-Ticket Lost, etc.

Unless this printed form is taken before a Magistrate, or Justice of the Peace and declared to and signed and delivered back to the pawnbroker not later than the.....day of..... 191..., the articles mentioned in it will be delivered to any person producing the pawn-ticket.

I, A. B.,.....of....., in pursuance of the Pawnbrokers Ordinance, 1913, do solemnly and sincerely declare that.....pledged at the shop of..... pawnbroker, the article (or articles) described below being.....property, and received a pawn-ticket for the same, which has since been.....by..... and that the pawn-ticket has not been sold or transferred by.....or to..... knowledge or belief.

The article (or articles) above referred to is (or are) the following :—

And I, C. D.,.....of....., in pursuance of the same Ordinance, do solemnly and sincerely declare that I know the person now making the foregoing declaration to be A. B.,.....of.....

Declared before me, this.....day of.....191....

Magistrate (or Justice of the Peace.)

VI.—Receipt.

(Date.)

Received on redemption of pledge No.
 Amount of loan
 Profit

Total

(A. B.,)

.....Pawnbroker.

VII. Special Contract.

Pawned with....., pawnbroker,
 at.....
 this.....day of.....191 .
 by.....of.....
 for the sum of.....Rupees,

(Article)

(THE FOLLOWING IS TO BE PRINTED ON THE TICKET :—)

Terms of the Special Contract.

The pawnbroker charges—

For this ticket.....

Profit at the rate per calendar month of.....

After the first calendar month any time not exceeding fourteen days will be charged as half a month, and any time exceeding fourteen days and not more than one month will be charged as one month.

The charge for storage of this pledge will be Rs.....per calendar month, or any part of a month, in addition to the charges above mentioned.

This pledge is pawned for not less than.....months.

After the expiration of that time the pledge may be sold by auction by the pawnbrokers But it may be redeemed at any time before the day of sale.

Within three years after sale the pawner may inspect the account of the sale in the pawnbroker's books on payment of and receive any surplus produced by the sale. But deficit on sale of one pledge may be set off by the pawnbroker against surplus of another.

If the pledge is destroyed or damaged by fire, the pawnbroker will be bound to pay the value of the pledge after deducting the amount of the loan and profit such value to be the amount of the loan and profit and 25% on the amount of the loan unless otherwise agreed upon by the pawner and pawnbroker.

If this ticket is lost, mislaid or stolen, the pawner should at once apply to the pawnbroker for a form of declaration to be made before a Magistrate, or the pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

Signed.....Pawnbroker.

Signed.....Pawner.

Second Schedule.

PROFIT AND CHARGES ALLOWED TO PAWNBROKERS.

Part I.—Profit on Loan.

For any time during which the pledge remains in pawn not exceeding one month, for every Rs. 2/- or fraction of Rs. 2/- lent.....Cents six.
 For every month after the first including the current month in which the pledge is redeemed, although that month is not expired, for every Rs. 2/- or fraction of Rs. 2/- lent.....Cents six.

Proviso.

If the pledge is redeemed before the end of the first fourteen days after the expiration of any month, the pawnbroker shall in respect of those fourteen days be entitled to take half of the amount which he would be entitled to take for the whole month.

Part II.—Charge on Pawn-Ticket.

For pawn-ticket.....Cents five.

Part III.—Charge on Inspection of Sale Book.

For inspection of entry of a sale.....Cents five.

Part IV.—Charge on form of Declaration.

For form of declaration.....Cents five.

RULE.

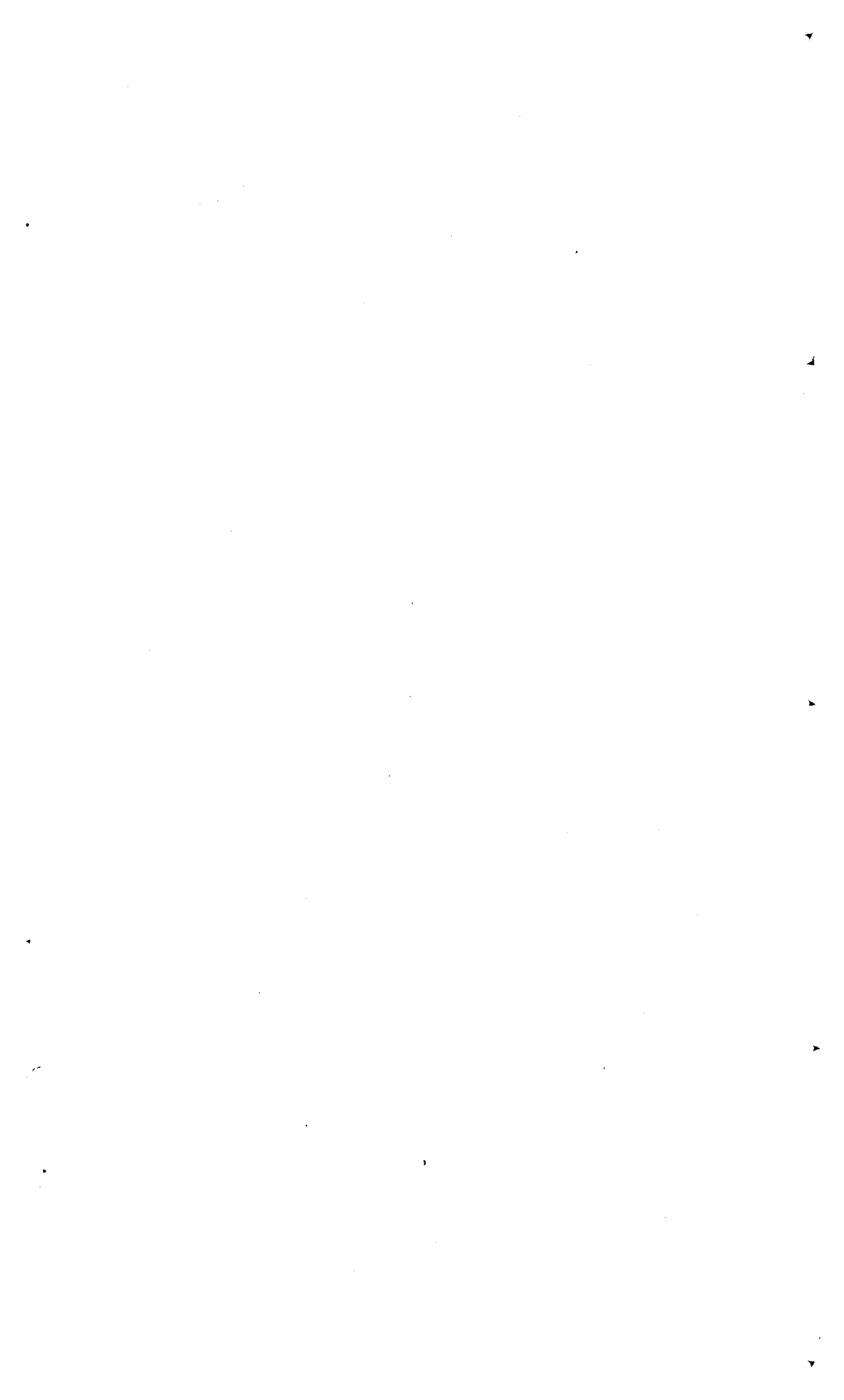
This sum is to be paid by the applicant at the time of application.

Third Schedule.

REGULATIONS AS TO AUCTIONS OF PLEDGES ABOVE RS. 7-50.

1. The auctioneer shall cause all pledges to be exposed to public view.
2. He shall publish catalogues of the pledges, stating—
 - (1) The pawnbroker's name and place of business;
 - (2) The month and year in which each pledge was pawned.
 - (3) The number of each pledge as entered at the time of pawning in the pledge book.
3. The pledges of each pawnbroker in the catalogue shall be separate from any pledges of any other pawnbroker.
4. The auctioneer shall insert in a newspaper published in the Protectorate an advertisement giving notice of sale, and stating—
 - (1) The pawnbroker's name and place of business;
 - (2) The month and year in which the pledges were pawned;
5. The advertisement shall be inserted on two several days in the same newspaper, and the second advertisement shall be inserted at least three clear days before the first day of sale.
6. Where a pawnbroker bids at a sale the auctioneer shall not take the bidding in any other form than that in which he takes the biddings of other persons at the same sale; and the auctioneer on knocking down any article to a pawnbroker shall forthwith declare audibly the name of the pawnbroker as purchaser.
7. The auctioneer shall, within fourteen days after the sale, deliver to the pawnbroker a copy of the catalogue or of so much thereof as relates to the pledges of that pawnbroker, filled up with the amounts for which the several pledges of that pawnbroker were sold, and authenticated by the signature of the auctioneer.
8. The pawnbroker shall preserve every such catalogue for three years at least after the auction.

APPENDIX.



EAST AFRICA PROTECTORATE.

PROCLAMATION No. 1]

PROCLAMATION.

The Game Ordinance, 1909.

In exercise of the powers conferred upon me by Sub-Section (1) of Section 6 of the Game Ordinance, 1909, I hereby ordered that Hippopotamus in Lake Naivasha be removed from the list of animals in the 1st Schedule to the above Ordinance.

Nairobi,

Dated this 24th day of December, 1912.

C. C. BOWRING,

Deputy Governor.

PROCLAMATION No. 2]

PROCLAMATION.

The Forest Ordinance, 1911.

In pursuance of the powers conferred upon me by Section 3 of the Forest Ordinance 1911, I hereby declare the area hereinafter defined to be a Forest Area for the purpose of the aforementioned Ordinance.

Nairobi,

Dated this 27th day of December, 1912.

C. C. BOWRING,

Deputy Governor.

NYERI HILL.

All land lying within a cut and beacons line and shown on survey map $\frac{\text{South A.37}}{\text{A-II-D}}$ as L. O. No. 1106.

PROCLAMATION No. 3]

PROCLAMATION.

The Forest Ordinance, 1911.

In pursuance of the powers conferred upon me by Section 3 of the Forest Ordinance, 1911, I hereby declare the area hereinafter defined to be a Forest Area for the purposes of the aforementioned Ordinance.

Nairobi,

Dated this 27th day of December, 1912.

C. C. BOWRING,

Deputy Governor.

Naivasha Forest Reserve.

NORTHERN BOUNDARY

Starting from the most South-westerly beacon of L. O. No. 1299 the boundary runs in a more or less North-easterly direction to the most North-westerly beacon of L. O. No. 1301.

EASTERN BOUNDARY

Thence in a more or less South-easterly direction along the Western boundary of the aforesaid L. O. No. 1301 to the most North-westerly corner of L. O. No. 1302, thence continuing in a more or less South-easterly direction it runs along the Western boundaries of L. O. Nos. 1302 and 1303, which is also the Marangishu River, to a point marked Ben. 4 on the Land Office maps where the Northern boundary of L. O. No. 394 meets the river.

SOUTHERN BOUNDARY

Thence in a Westerly direction along the Northern boundaries of L. O. Nos. 394 and 1556 to the most North-westerly beacon of L. O. No. 1556.

WESTERN BOUNDARY

Thence in a more or less Northerly direction to the most South-easterly beacon of L. O. No. 424A excluding the township area of Naivasha, thence continuing to the starting point which is the most South-westerly beacon of L. O. No. 1299.

GOVERNMENT NOTICE No. 1]

RULE.

Issued by His Excellency the Governor of the East Africa Protectorate under Section 10 of the Courts Ordinance, 1907.

Nairobi,

Dated this 17th day of December, 1912.

H. C. BELFIELD,

Governor.

1. Sub-Section (1) of Rule 1 of the Rules under the Courts Ordinance, 1907, dated 6th June, 1911, is hereby repealed.

GOVERNMENT NOTICE No. 2]

RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 19th day of December, 1912.

H. C. BELFIELD,

Governor.

2. Rules 2, 3, 5, 6, 7 and 8 and so much of Rule 10 as remains unrepealed of the Nairobi Township Rules No. 3 of 1905, and Rule 1 of the Township Rules dated 14th July, 1908, shall be and hereby are repealed as from the 1st day of January, 1913.

2. Rule 1 of the Township Rules dated 15th January, 1912, shall be and hereby is amended by deletion of the words "bicycles tricycles and motor cycles of every description" and substitution therefor of the words "bicycles and tricycles other than motor cycles" as from the 1st day of January, 1913.

GOVERNMENT NOTICE No. 3]

RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 28th day of December, 1912.

C. C. BOWRING,

Deputy Governor.

1. These Rules shall be read as one with the Rules dated the 14th day of December, 1912, hereinafter referred to as the Principal Rules.

2. The Municipal Committee shall appoint a suitable place as a slaughter house at which pigs may be slaughtered.

3. No pig shall be slaughtered except at the slaughter house appointed as aforesaid or at such other place as the Town Clerk may in writing prescribe.

4. The term "slaughter house" in the Principal Rules shall, in relation to pigs and to the carcase or any portion of the carcase thereof, mean the slaughter house appointed under Rule 2 of these Rules.

GOVERNMENT NOTICE No. 4]

ORDER.

The East Africa Vaccination Ordinance, 1912.

APPLICATION TO THE TOWNSHIP OF KISUMU.

In pursuance of the powers conferred upon me by Sub-section (1) of Section 3 of the above Ordinance, I hereby direct that from the 1st day of January, 1913, and until further order all adults and children in the Township of Kisumu who have not been previously inoculated or vaccinated successfully or already had small-pox shall be vaccinated.

Nairobi,

Dated this 30th day of December, 1912.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 5] REGULATION.

Under the Diseases of Plants Prevention Ordinance, 1912.

Regulation issued by His Excellency the Governor of the East Africa Protectorate under the powers conferred by the above Ordinance.

Nairobi,

Dated this 30th day of December, 1912.

H. C. BELFIELD,

Governor.

1. The Regulations published in the "Official Gazette" under the above Ordinance and dated 9th day of August, 1912, are hereby repealed.

GOVERNMENT NOTICE No. 6] NOTICES.

An Ordinance to make provision for Public Holidays.

The Principal Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

An Ordinance to make provision for the Registration of Trade Marks in the East Africa Protectorate.

The Principal Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

An Ordinance to amend the Fugitive Criminals Surrender Ordinance, 1908.

The Principal Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

By Command of His Excellency

C. C. BOWRING,

Chief Secretary.

GENERAL NOTICE No. 1] NOTICE.

Appointments under the Native Authority Ordinance, No. 22 of 1912.

Name.	District.	Jurisdiction.
Aijigwa	Turkana	Ngolio, Ngotonia and Ngataicha tribes.
Egenu	Turkana	Nyisirr tribe.
Akales	Turkana	Ngamatak tribe on Turkwell River, Boundaries S. Ngamatak hills N. Awalasi (Turkwell Beni Camp).
Lemungun (Suk)	Turkana	Suk tribe, Boundaries S. Njoro Camp on Mumias-Ngabotok road, N. Murgorio, E. Suk mountains, W. Turkwell River.

December 24th, 1912.

J. W. T. McCLELLAN,

Provincial Commissioner.

GENERAL NOTICE No. 2. NOTICE.

The Infectious Diseases Ordinance, 1903.

Notice is hereby given that cases of Plague have occurred in the Island of Mombasa which is therefore declared an infected area for the purpose of the aforesaid Ordinance and the Rules made under the same, dated the 29th day of August and the 2nd day of October, 1912.

Mombasa,

Dated this 25th day of December, 1912.

C. W. HOBLEY,

Provincial Commissioner.

Kenia Province.

The following Headmen are hereby appointed under the Village Headmen's Ordinance 1902.

Name.	District.	Division.	Remarks.
Kimani wa Thuo	Fort Hall	Mitume	Vice Thiee wa Thuo deceased.
Kiambati wa Kithiakenia	Nyeri	Othaia	Vice Kahia wa Hinga deposed.
Matu wa Munyero	Nyeri	Mericho and Karundu	Vice Ndio wa Kagwai deposed.

Nyeri,
16th December, 1912.

C. R. W. LANE,
Provincial Commissioner.

PROCLAMATION No. 4]

PROCLAMATION.

The Forest Ordinance, 1911.

In pursuance of the powers conferred upon me by Section 3 of the Forest Ordinance, 1911, I hereby declare the areas hereinafter defined to be a Forest Area for the purpose of the aforementioned Ordinance.

Nairobi,
Dated this 31st day of December, 1912.

H. C. BELFIELD,
Governor.

Londiani Forest Reserve.

Starting from the most South-western beacon of L. O. No. 487 the boundary follows the Railway line to the most Southern beacon of L. O. No. 1315.

Thence it runs in a more or less North-westerly direction along the Eastern boundaries of L. O. Nos. 1315, 505 and 1313.

Thence in a more or less Southerly direction along the Western boundaries of L. O. Nos. 1313, 506 and 1314.

Thence in a Westerly direction along the Railway to Londiani Station.

Thence along the Londiani Ravine Road to the most Eastern beacon of L. O. No. 1525.

Thence in a generally Westerly direction along the Northern boundaries of L. O. Nos. 1525, 1523, 1522, 585, 1121, 1439, 1440, 1443, 1448, 1449, 1453.

Thence in a Northerly direction along the general Eastern boundaries of L. O. Nos. 1455, 1456, 1183, 1458, 1458A, 1459, 1479, 1480, 1482, 1483, 1485, 1485A.

Thence in a more or less Easterly direction along the general Southern boundaries of L. O. Nos. 683, 681, 665, 664, 666, 663, 668.

Thence Easterly along the Northern boundary of Lingham and Grogan's Forest Concession L. O. No. 503 to its most North-eastern corner.

Thence in a Southerly direction along the Eastern boundary of the aforesaid concession to where it meets L. O. No. 498.

Thence along the Western boundaries of L. O. Nos. 498, 500, 496, 501 to the most Southern corner of L. O. No. 501.

Thence in a South-westerly direction along the Western boundaries of L. O. No. 487 to the starting point.

The Game Ordinance, 1909.

In exercise of the powers conferred upon me by Sub-section (1) of Section 15 of the Game Ordinance, 1909, I hereby, with the approval of the Secretary of State, order that the Boundaries of the Northern Game Reserve as set forth in the 5th Schedule to the above Ordinance shall be altered, and that the Boundaries of the said Reserve shall, from date of the publication of this Proclamation in the Gazette, be as follows:—

EASTERN BOUNDARY—Starting at the ford at “Kampi ya Nyama Yangu” on the Northern E.

Uaso Nyiro River the boundary runs in a straight line to the summit of Koitogor (Noigoitoga) Hill (Survey beacon 4067 feet)

thence to the summit of Kalama Hill

thence to the summit of Lololokwi Hill

thence northward along the foot of the eastern slopes of Uaragueso Hill and the Matthews Range to the northernmost end of the latter (approx. on latitude 1°30' N)

thence in a straight line in a north-easterly direction to the summit of Lomoton Hill

thence to the summit of Lodermut Hill (Survey point 4712 feet)

thence to the summit of Lolajonga Hill (Survey point 3512 feet) approx. 15 miles south-west of Marsabit Lake.

NORTHERN BOUNDARY—thence in a straight line westerly to the summit of Mount Nyiro (N. B. this line crosses the Orr valley east of Mount Nyiro at what is known as the “second stream”).

WESTERN BOUNDARY—thence in a straight line to the summit of Kowop Hill

thence in a straight line to the western scarp of Loroki Hill (Survey point 8090 feet)

thence in a straight line to the summit of Pakka Hill (Survey beacon 5575 feet)

SOUTHERN BOUNDARY—thence in a straight line to the summit of Ol Doinyo Oiroina or Kuti (Survey beacon 6905 feet)

thence in a straight line to the junction of the Northern E. Uaso Nyiro and E. Uaso Narok Rivers.

thence down the left (north) bank of the former to the ford at Kampi ya Nyama Yangu, the point of commencement.

Nairobi,

Dated this 9th day of January, 1913.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 8]

RULES.

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 9th day of January, 1913.

H. C. BELFIELD,

Governor.

Impounding of Animals Wandering or Trespassing.

1. The Municipal Committee may establish and maintain in the Township a pound or pounds for the reception and detention of animals impounded under these Rules, and may appoint a pound master to be in charge of such pound or pounds.

2. The pound master may receive into the pound and detain therein, subject to the provisions of these Rules, any animal brought to him for such purpose.

3. Any police officer or any person in the service of the Municipal Committee may seize any animal found straying in any street or public place or upon any unalienated Crown land or upon any property of the Government or of any department of the Government or of the Municipal Committee, and may take such animal to the pound to be there impounded.

4. The owner or occupier of any land within the Township may seize any animal which he may find trespassing on his land and may take or cause such animal to be taken to the pound to be there impounded.

5. The pound master shall supply every animal impounded with fit and sufficient food and drink.

6. The owner of every animal impounded shall pay to the poundmaster for and on behalf of the Municipal Committee the pound fees prescribed in the Schedule hereto.

7. The pound master shall not release any animal from the pound until the owner has paid to him the prescribed pound fees.

8. If within seven clear days from the time of impounding any animal such animal shall not have been released from the pound, the Town Clerk may cause such animal to be sold by auction and shall apply the proceeds of such sale (1) in paying the expenses of and attending such sale and (2) in paying the pound fees payable in respect of such animal and rendering the overplus (if any) to the owner of such animal, if claimed within 12 months of the date of sale.

9. Anything in the preceding Rule to the contrary notwithstanding, the Town Clerk may at any time order the slaughter of any animal brought to the pound or detained therein, if it shall be made to appear to him that such slaughter be necessary or advisable for the prevention of the spread of disease, or on grounds of humanity: and that without incurring any liability whatever therefor.

10. Any person who shall, without lawful authority, release or attempt to release any animal from the pound or on the way to such pound or shall pull down or destroy any pound shall be liable, on conviction, to a fine not exceeding 150 rupees or to imprisonment of either description which may extend to one month or to both such fine and imprisonment.

11. Rule 186 of the Township Rules 1904 shall cease to apply to Nairobi.

12. The Rules under the East Africa Townships Ordinance 1903, dated February 11th. 1908, are hereby repealed.

13. These Rules shall apply to the Township of Nairobi.

Schedule.

Nairobi Pound Fees.

On donkeys, sheep, goats, dogs, swine, per head per day or part of a day	...	...	Cents 25.
On cattle, per head per day or part of a day	...	...	„ 50.
On horses, mares, foals, mules, zebras, camels and all animals not specified above,	...	...	„ 75.
per head per day or part of a day	...	...	„ 75.

GOVERNMENT NOTICE No. 9] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 7th day of January, 1913.

H. C. BELFIELD,

Governor.

1. Rule No. 2 of the Rules issued under the East Africa Townships Ordinance, 1903, dated 1st July, 1910, and published in the "Official Gazette" of date 15th July, 1910, shall be amended by insertion after the words "in a clean covered cart" of the words "of a design approved by the Town Clerk."

2. The above amendment shall come into force on the 1st day of April, 1913.

GOVERNMENT NOTICE No. 10] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance 1903.

Nairobi,

Dated this 14th day of January, 1913.

C. C. BOWRING,

Deputy Governor.

1. These Rules shall apply to the Township of Nairobi.

2. The Chief Secretary shall in the month of January in each year nominate a Committee consisting of seven Government servants, of whom one shall be the District Commissioner, Nairobi, four Europeans, not being in the service of the Government, residing or carrying on business within the Township; and two Non-Europeans, not being in the service of the Government, residing or carrying on business within the Township.

The District Commissioner, Nairobi, shall be Chairman of the Committee. Seven members of the Committee shall form a quorum.

The Chief Secretary may, with the approval of the Governor, at any time remove any member of the Committee, and may at any time nominate a new member in the place of any member who shall have been removed or who shall have resigned.

3. The Chairman of the Committee shall in the month of March in each year prepare Estimates of revenue and expenditure for the ensuing financial year commencing on April 1st. Such Estimates shall be submitted to the Governor through the Chief Secretary.

The Township Estimates approved by the Governor shall be published in the "Gazette."

4. The Committee shall, from time to time, frame and submit to the Governor, through the Attorney General and Chief Secretary, Rules for the health, order and good government of the Township.

5. The following Rules issued under the East Africa Townships Ordinance 1903 are hereby cancelled to the extent hereinafter stated:—

(1) Rules 3 and 4 of the Rules issued for the Township of Nairobi—dated the 19th day of May 1904.

(2) The Nairobi Township Rules No. 2 of 1905—the whole.

Provided as follows:—

(1) The Committee nominated under the said rules shall remain in office until a Committee shall be nominated under these rules.

(2) All powers and duties, vested in or imposed upon the Committee nominated under the Rules cancelled by these rules, shall be vested in or imposed upon the Committee nominated under these rules.

GOVERNMENT NOTICE No. 11]

RULES.

The Forest Ordinance, 1911.

Rule issued by His Excellency the Governor under the powers conferred by the Forest Ordinance, 1911.

Nairobi,

H. C. BELFIELD,

Dated this 4th day of January, 1913.

Governor.

1. The following Royalties shall be paid for Forest Produce taken from Mangrove swamps, other than those swamps which are leased:—

(1) For Round poles:

(a) Not exceeding 12 feet in length	...	...	...	10 cents per pole.
(b) Exceeding 12 feet but not exceeding 20 feet in length.	...	...	...	15 " " "
(c) Exceeding 20 feet in length	...	...	...	25 " " "
(2) Withies (Fitu)	...	...	...	6 " " head load.
(3) Round Timber	...	...	...	3 " " stacked cubic foot

GOVERNMENT NOTICE No. 12]

RULES.

The Forest Ordinance, 1911.

Rules made by His Excellency the Governor under the Forest Ordinance, 1911.

Nairobi,

C. C. BOWRING,

Dated this 11th day of January, 1913.

Deputy Governor.

Forest Ordinance Rubber Rules.

1. These Rules may be cited as "The Forest Ordinance Rubber Rules, 1913."

2. In these Rules, unless the context otherwise requires:—

(1) "Licence" means a licence granted under these rules to collect rubber.

(2) "The Ordinance" means "The Forest Ordinance, 1911" and any Ordinance amending the same.

(3) "Protected trees" means rubber-producing trees or vines on Crown Lands for the time being protected under Rules made under the powers conferred by Section 13 of the Ordinance.

(4) "Tapping" means either the process of extracting the rubber-producing latex, or the single act of cutting trees for the purpose of such extraction, according as the context requires.

(5) Other expressions shall have the same meanings as are given in the Ordinance.

3. (1) Applications for licences to collect rubber in any forest area, or from protected trees, shall be made to, and licences may be granted and issued by, the Conservator of Forests.

(2) In the event of more than one applicant applying for a licence in respect of the same area, the Conservator of Forests may, by notice in the Gazette, invite tenders as to the minimum annual payments which will be made under the licence. Provided that no tender of less than Rs. 100 shall be accepted.

4. Subject to the provisions of these rules a licensee shall be entitled to collect rubber within the area specified in his licence.

5. The Conservator of Forests may refuse any application for a licence or reject any tender under these rules, provided, however that an applicant may appeal to the Governor in the event of such refusal.

6. Licences may be granted for any period not exceeding five years.

7. Any applicant or any person who has tendered for a licence may be required to satisfy the Conservator of Forests that he has a competent knowledge of the proper method of tapping trees.

8. No licence shall be issued until the payment prescribed by these rules has been made.

9. Licences shall be in the Form A appended hereto.

10. The Conservator of Forests shall, upon issuing a licence, send the duplicate thereof to the Forest Officer in charge of the Register referred to in Rule 16, and such Officer shall retain the duplicate of such licence. Every duplicate received or retained by the Officer in charge of the Register shall be filed by him in his Office.

11. No licence shall be transferred except with the consent in writing of the Governor.

12. Every licence shall be produced by the licensee at the request of any Magistrate, Justice of the Peace, or Police or Forest Officer.

13. Rubber trees and vines shall be tapped only in such manner as shall be authorised by the Conservator of Forests and set forth on the back of the licence. Provided, however, that in collecting rubber from vines the vines may be cut down, the stem being severed by a clean cut flush with the ground; provided that no vines less than six inches in girth at two feet from the ground shall be cut.

14. The following payments shall be made by the licensee :—

(1) On the issue of every licence and at the commencement of each year during the currency of the licence Rs. 100 or, if the licence shall have been offered for tender, such sum as may have been tendered by the person to whom the licence has been granted.

(2) By way of Royalty

25 cents per pound of rubber collected.

15. All rubber collected shall be shown to the Forest Officer of the District or the District Commissioner and shall remain Government property until a Royalty of 25 cents per pound has been paid in cash to the Forest Officer or District Commissioner for and on behalf of the Government.

Provided that the sum paid in respect of a licence for any one year may be deducted from the amount payable as Royalty in respect of that year and provided that in no case shall a less sum than Rs. 100 or, if the licence shall have been offered for a tender, than the sum tendered by the licensee, be paid by a licensee in respect of any year.

16. The Forest Officer deputed in every district by the Conservator of Forests for the purpose shall keep a Register of all licences issued in the district. The Register, which shall be known as a Rubber Licence Register, may be in the Form B appended hereto, and may contain the particulars indicated in the said form.

17. If a licensee shall employ any person to assist him in collecting rubber under his licence, it shall be the duty of the licensee to supervise and direct such person so that no breach of these rules or of any rules for the time being in force under the Ordinance be committed by such employee. In the event of any employee of the licensee being convicted of an offence against the Ordinance or any Rule thereunder, the Conservator of Forests may cancel the licence.

18. Any person who shall commit a breach of Rules 12, 13 or 15 shall be liable on conviction to the penalties prescribed by the Ordinance for a breach or non-observance of a Rule made thereunder.

19. The Forest Ordinance Rubber Rules 1912 are hereby cancelled. Provided however that any licence issued under the said rules and in force at the date of these rules shall until the expiration of such licence continue subject to the said rules cancelled hereby as if the said rules still remained in force.

FORM A.

Rubber Licence.

Permission is granted to.....to collect rubber in theForests within the area more particularly defined in the Schedule attached hereto for a period of.....years from the date of issue of this licence.

The licence is issued subject to the Forest Ordinance Rubber Rules 1913 and the following conditions:—

(1) The licensee shall pay to the Conservator of Forests for this licence at the time of the issue thereof and on the first day of each year during the currency of the licence the sum of Rs.....

(2) All rubber collected under this licence shall be shown to the Forest Officer..... or the District Commissioner.....and shall remain Government property until a Royalty of 25 cents per pound has been paid in cash to the Forest Officer or District Commissioner. Provided that the said sum of Rs.....paid for this licence for any one year may be deducted by him from any sum payable as Royalty in respect of that year, and provided that in no case shall a less sum than Rs.....be paid by the licensee in any one year.

(3) The rubber trees and vines shall be tapped in a manner to be reported to and authorised by the Conservator of Forests.

(4) This licence does not guarantee exclusive rights, but as far as is practicable with an unsurveyed area, no other rubber rights will be granted for.....years in this area.

(5) This licence is liable to cancellation at any time should it appear that the trees or vines are being tapped in an unauthorised manner, or forest fires caused or any other forest offence committed.

(6) The holder of this licence is responsible for all acts of his employees within the forest and shall abide by all rules for the time being in force under the Forest Ordinance 1911.

(7) This licence is not transferable except with the consent in writing of the Governor.

.....
Conservator of Forests.

Dated.....191 .

FORM "B"

Licence Register.....District.

No. of licence	Name of licensee	Date of Issue	Date of Expiration	Annual payment		Remarks	Signature of Officer making entry and date of entry.
				Rs.	Cts.		

GOVERNMENT NOTICE No. 13] NOTICE.

The East Africa Townships Ordinance, 1903.

In exercise of the powers conferred upon me by the Rules dated 20th October, 1911, under the above Ordinance I hereby direct that the Rules under the above Ordinance dated 20th October, 1911, shall from the date hereof apply to the Township of Kisumu.

Nairobi,

Dated this 31st day of December, 1912.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 14] NOTICE.

The Infectious Diseases Ordinance, 1903.

Whereas a case of Plague has occurred at House 24, Sanitary Lane, Nairobi, the said premises are hereby declared to be an infected area for the purposes of the infectious Diseases Ordinance, 1903, and the Rules thereunder, and I hereby apply to the said infected area the Rules issued under the said Ordinance dated August 29th, 1912, excepting only Rule 4 thereof.

Nairobi,

Dated this 2nd day of January, 1913.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 15] NOTICE.

The Infectious Diseases Ordinance, 1903.

Notice is hereby given that the Notices dated respectively April 13th, 15th, 16th, 27th and 29th, 1912, and published in the "Gazette" under the above Ordinance are hereby cancelled.

Nairobi,

Dated this 11th day of January, 1913.

C. C. BOWRING,

Deputy Governor.

GENERAL NOTICE No. 21] NOTICE.

The Infectious Diseases Ordinance, 1903.

Whereas no cases of Plague have occurred in the Island of Mombasa since the 27th of December 1912, notice is hereby given that the Notice under the above Ordinance dated the 25th of December 1912 (General Notice No. 2) and published on page 5 of the "Official Gazette" of January 1, 1913, is hereby cancelled.

Mombasa,

Dated this 10th day of January, 1913.

C. W. HOBLEY,

Provincial Commissioner.

GOVERNMENT NOTICE No. 16] NOTICES.

An Ordinance to make Provision for the Licensing of Theatres, Stage Plays and Cinematograph Exhibitions (No. XVIII of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

An Ordinance to make Provision for the Payment of a Poll-Tax by Non-Natives (No. XIX of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

The Official Secrets Ordinance (No. XX of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

The Public Holidays Ordinance (No. XXI of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

The Supplementary Appropriation Ordinance (No. XXIII of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

The Law Officers Ordinance (No. XXIV of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

The Sales by Auction Ordinance (No. XXV of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

By Command of His Excellency,

C. C. BOWRING,
Chief Secretary.

GENERAL NOTICE No. 23] POST OFFICE NOTICE.

Telegraph communication was established with Masaka, Uganda, on December 18th. The Office hours for receipt and despatch of telegrams will be from 8 a.m. to noon and 2 to 4 p.m. on Weekdays, except Saturdays 8 a.m. to 2 p.m., and 9 a.m. to 11 a.m. on Sundays.

Nairobi,
31st December, 1912.

A. D. AYRE,
for Postmaster General.

GENERAL NOTICE No. 24] NOTICE.

The E. A. Volunteer Reserve Ordinance, 1910.

The following appointments have been made by the President under Section 9 of the Ordinance:—

To be Deputy President, Limoru Unit Volunteer Reserve:—

MR. W. HALL, vice MR. W. H. CAINE resigned.

To be Assistant Deputy President, Limoru Unit Volunteer Reserve:—

MR. C. A. SHERWOOD, vice MR. A. G. A. LEAKEY resigned.

GOVERNMENT NOTICE No. 18] NOTICE.

Non-Native Poll Tax.

His Excellency the Governor is prepared to allow, under the powers conferred upon him, a partial remission of poll-tax in the case of any non-native who can produce satisfactory proof that his sole income is derived from salary or wages, and that his average monthly salary or wage is less than 30 Rupees.

Persons seeking remission of poll-tax on the ground of poverty should make application to the District Commissioner of the District in which the applicant ordinarily resides, and should adduce such evidence as the District Officer may require to satisfy him that the applicant's sole income is derived from salary or wages, and that his average monthly wage is less than 30 Rupees.

Any District Officer, who is satisfied on such points, may, without special reference to His Excellency, accept the sums hereinafter specified in full satisfaction of the tax payable by the applicant, namely:—

When the salary or wage of the applicant is not less than 20 rupees						
per month	...	...	...	...	...	Rs. 10
When the salary or wage of the applicant is less than 20 rupees per						
month	...	...	...	...	...	Rs. 5

Nairobi,
January 15th, 1913.

C. C. BOWRING,
Chief Secretary.

Under the Mohamedan Marriage and Divorce Ordinance, 1906.

In exercise of the powers conferred upon me by Section 26 of "The Mohamedan Marriage and Divorce Registration Ordinance, 1906" I do hereby direct that the said Ordinance shall apply to all Native Mohamedans in the Nyeri District of the Kenya Province, and shall commence and have effect in the said District as from the 15th day of January, 1913,

Nairobi,

Dated this 15th day of January, 1913.

C. C. BOWRING,

*Deputy Governor.***The Native Hut and Poll Tax Ordinance, 1910.**

Rules issued by His Excellency the Governor under the power conferred by Section 9 (1) of the above Ordinance.

Nairobi,

Dated this 25th day of January, 1913.

H. C. BELFIELD,

*Governor.***Collection of Taxes and the duties of Hut Counters and Headmen.**

1. In these Rules :

The term "District Officer" means a District Commissioner or an Assistant District Commissioner.

The term "Headman" means a Headman appointed under the Native Authority Ordinance, 1912. Whenever a Council of Elders is appointed the Collective Headmen of any area, the members of such Council shall collectively and individually be responsible for the performance of the duties imposed upon a Headman by these Rules, and shall individually be liable to the penalties prescribed by these Rules.

2. The Officers in charge of Districts shall every year cause a complete roll of tax payers in their respective Districts, to be prepared.

Every tax roll shall contain :

(a) The name of every owner of a hut, the number of huts owned by each hut-owner, and the number of wives of each hut-owner, and

(b) In the case of any District in which the Poll Tax is leviable, the name and father's name of every Native liable to pay Poll Tax.

3. For the purpose of the preparation of the Tax Roll a District Officer may employ persons (hereinafter referred to as Hut-Counters) whose duty it shall be to prepare, under the directions of the District Officer, the roll of tax payers in the area to which they may be respectively appointed.

4. The District Officer shall notify each Headman of the date on which the Hut-Counter will commence to prepare the tax roll in the area to which such Headman has been appointed, and it shall be the duty of each Headman to furnish the Hut-Counter with any information which he may require in order to compile a complete tax roll for the area to which such Headman is appointed, and, unless excused by the District Officer, to accompany the Hut-Counter whilst engaged in preparing such tax roll.

A Superior Headman may, in lieu of accompanying the Hut-Counter, order any Headman subordinate to him to accompany the Hut-Counter and to furnish the information aforesaid, and it shall be the duty of such inferior Headman to obey such order. Provided that nothing hereinbefore contained shall be deemed to relieve a Superior Headman of the duty to furnish a Hut-Counter with any information which he may require for the purposes aforesaid.

5. The District Officer shall notify the Headmen of the date when and place where he will attend to receive the taxes payable, and it shall be the duty of every Headman to cause all persons liable to pay any tax to be informed of the time and place appointed as aforesaid and to order every such person either to appear personally before the District Officer at such time and place to pay the tax or to send to the District Officer at such time and place the amount of the tax payable by him.

Every person who having been ordered to attend or to send the amount of the tax payable by him as aforesaid, shall without lawful excuse fail to attend or to send the amount of the tax shall be liable to a fine not exceeding 15 rupees and in default of payment to imprisonment of either description not exceeding 14 days.

6. A Headman shall order any Native subject to his jurisdiction who shall not have paid the tax payable by him at the time and place appointed by the District Officer, to either attend at the office of the District Officer or to send the amount of the tax payable by him to such office. Any Native who shall fail without lawful excuse to obey the orders of a Headman given under this Rule shall be liable to the penalties in the last preceding Rule provided.

7. It shall be the duty of every Native to answer truthfully any question which may be put to him by a District Officer, Hut-Counter or Headman, with the purpose of ascertaining the name or whereabouts of any person liable to pay any tax and any Native who shall refuse to answer any such question or who shall give any answer which he knows or has reason to believe to be untrue shall be liable to a fine not exceeding 30 rupees or to imprisonment of either description which may extend to one month or to both such fine and imprisonment.

8. Any Hut-Counter who shall intentionally omit from the tax roll the name of any person whose name should be included in such roll, or who shall intentionally mis-state the number of huts owned by any person or the number of the wives of any hut-owner, shall be liable on conviction to a fine not exceeding 300 rupees or to imprisonment of either description for a term not exceeding two months or to both such fine and imprisonment.

9. Any Headman who shall give false information to a Hut-Counter under Rule 4 or shall, without lawful excuse, refuse or neglect to perform any duty imposed upon him by any of these Rules, or to issue any order which he is required to issue by any of these Rules, shall be liable to the penalties in the last preceding Rule provided.

10. Every person paying the tax shall furnish the officer to whom payment is made with such information as may be required by him in preparing a receipt in the prescribed form, and shall, if so required by such officer, attend personally before such officer for such purpose.

11. Any person who shall wilfully furnish a District Officer with false particulars as to any of the information required by such officer in preparing a receipt, or who, on being required to attend before a District Officer, shall neglect or refuse to attend, or attending shall neglect or refuse to furnish any information required as aforesaid, shall on conviction be liable to a fine not exceeding 30 rupees or to imprisonment of either description which may extend to one month or to both such fine and imprisonment.

12. (1) A District Officer may, at any time, require any Native to produce the receipt granted to such Native for the payment of the tax last payable and a District Officer may retain any receipt produced for such time as he may consider necessary for the purpose of identifying the person named therein with the person producing the same.

(2) A District Officer may require any Native, who refuses or neglects to produce his receipt when requested, to furnish him with information as to the office at which he has paid his tax last payable, and with such further information as the District Officer may require for the purpose of ascertaining whether such Native has paid such tax.

(3) Any Native, who without lawful excuse, shall neglect or refuse to produce his receipt when required as aforesaid, or who, having failed or refused to produce his receipt, shall fail to furnish the information which may be required of him under the preceding Sub-rule, shall, on conviction, be liable to a fine not exceeding 30 rupees or to imprisonment of either description for a term not exceeding one month.

(4) Evidence of the non-production of a receipt for the payment of a tax upon requisition being made as aforesaid shall, in and for the purposes of any proceedings for the recovery of such tax, be *prima facie* evidence that the tax has not been paid.

(5) Any Native who, being required by a District Officer to produce his receipt, shall produce a receipt granted to some other person, or, who, having failed or refused to produce his receipt, shall furnish a District Officer with any false particulars as to any of the information which may be required of him under Sub-rule (2) of this Rule, shall, on conviction, be liable to a fine not exceeding 75 rupees or to imprisonment of either description for a term not exceeding two months.

(6) Any Native who shall transfer to any other Native any receipt granted to him, intending, or knowing that it is likely, that such other Native will produce the same as a receipt granted to him shall be guilty of an offence and on conviction shall be liable to the penalties in the last preceding Sub-rule provided.

13. Nothing in these Rules contained shall be construed to exempt any Native from his obligation to pay the tax payable by him as and when the same becomes due in pursuance of Section 7 of the Ordinance, or to preclude the Government from at any time taking action to recover any tax so due.

The Fish Protection Ordinance, 1908.

Rules made by His Excellency the Governor in pursuance of the powers conferred by the above Ordinance.

Nairobi,

Dated this 25th day of January, 1913.

H. C. BELFIELD,

Governor.

1. These Rules may be cited as "The Trout Protection Rules" and shall apply to all rivers, lakes and other waters of the Protectorate.
2. Save as in these Rules otherwise provided no person shall fish for, capture or kill any trout in the Protectorate.
3. (1) The following licences, authorising the person named therein to fish for, capture, kill and take trout in the Gura River and its tributaries during the currency of the licence and subject to the provisions of these Rules, may be issued by a Provincial Commissioner or a District Commissioner or by such other person or persons as may be authorised by the Governor on that behalf, namely:—
 - (a) A Yearly licence
 - (b) A Seven Days Licence
 - (c) A Daily Licence.
 (2) The following fees shall be paid for every such licence, namely:—
 - (a) For a Yearly Licence—100 rupees
 - (b) For a Seven Days Licence—25 rupees
 - (c) For a Daily Licence—5 rupees.
4. (1) Every licence issued under these Rules is subject to the conditions following:—
 - (a) That the holder of the licence shall not fish for or capture trout otherwise than with rod and line, and with artificial fly or artificial minnow or spinning bait.
 - (b) That the holder of a licence shall not on any one day kill more than 6 trout.
 - (c) That no trout which measures less than 12 inches in length shall be killed.
 - (d) That the holder of a licence shall return to the water with as little delay and damage to the fish as possible, any fish which he may capture and which under any of the conditions aforesaid he is not entitled to kill.
 (2) The holder of a licence issued under these Rules who shall commit any breach of, or fail to comply with, the conditions of his licence shall be guilty of an offence against these Rules.
5. Any Magistrate, Justice of the Peace, Forest Officer, Game Ranger or Police Officer may require any person found fishing for trout, or in possession of trout, or who is suspected of having been fishing for trout or of being in possession of trout, to produce his licence and any fish in his possession for inspection.
Any person who, having been required as aforesaid to produce his licence or any fish in his possession, shall without lawful excuse refuse or neglect to produce his licence (if any) or any fish in his possession, shall be guilty of an offence against these Rules.
6. No person who is not the holder of a licence then in force issued under these Rules shall fish for, capture or kill any fish in the Gura River or in any of its tributaries.
7. Any Magistrate, Justice of the Peace, Forest Officer, Game Ranger or Police Officer may seize any rod, tackle, net, machine, instrument or other appliance which he may have reason to believe is being used in contravention of any of these Rules, provided, however, any rod, tackle, net, machine or other appliance seized as aforesaid shall be sent without undue delay to the Magistrate having jurisdiction to try the person suspected of using the same for the offence committed against these Rules, and in the event of such person being convicted of such offence the rod, tackle, net, machine, instrument or other appliance may, at the discretion of the Magistrate, be forfeited to the Government.
8. Any Magistrate, Justice of the Peace, Game Ranger or Police Officer may enter upon any land for the purpose of preventing or detecting offences against these Rules.
9. Any person who shall commit any offence against these Rules or shall commit any breach of the provisions of these Rules shall on conviction be liable to a fine not exceeding 300 rupees and in default of payment thereof to imprisonment of either description for a term not exceeding three months. If the person convicted is the holder of a licence, his licence may be revoked by the Court.
10. No person whose licence has been revoked by a Court shall be granted another licence under these Rules except with the consent of the Governor.

VERNMENT NOTICE No. 21] NOTICE.

Under the Mining Ordinance, 1912.

The attention of the public is invited to the fact that the Mining Ordinance, 1912, together with the Regulations set forth hereunder, dated the 21st of January, 1913, will be brought into force on a date hereafter to be fixed, of which due notice will be given.

Meanwhile the above-mentioned Regulations are published for general information.

Nairobi,
February 1st, 1913.

C. C. BOWRING,
Chief Secretary.

GOVT. NOTICE No. 22] MINING REGULATIONS.

Regulations issued by His Excellency The Governor under the powers conferred by the Mining Ordinance, 1912.

Nairobi,
Dated this 21st day of January, 1913.

H. C. BELFIELD,
Governor.

1. These Regulations may be cited as "The Mining Regulations 1912." Title.

2. In the construction of these Regulations, except where the subject matter Interpretation. or context requires a different construction, the terms to which special meanings are assigned by Section 4 of the Ordinance, shall, wherever they occur in these Regulations, have the same meanings as are so assigned to them respectively.

• **Prospecting Licences.**

3. (1) A prospecting licence in the form No. 1 A in Schedule A hereto, to be Term and fee. in force for one year from the date thereof, may be obtained by any European of or over the age of 16, on payment of five Rupees.

A prospecting licence cannot be transferred. Not transferable.

(2) The officers authorised to issue prospecting licences are the Officers authorised to issue. Commissioner of Mines, Wardens, Provincial Commissioners, and District Commissioners.

(3) A prospecting licence issued under the East Africa Mining Licences issued under repealed laws and unexpired. Regulations 1902 or the Mining Regulations Amendment Ordinance, 1907 and in force on the date of the coming into operation of the last mentioned Ordinance, shall continue in force for the unexpired period of the licence, and shall for all purposes be deemed to be a prospecting licence issued under the last mentioned Ordinance. Provided, however, nothing in this Regulation contained shall be construed to affect the rights or obligations of the holder of any such licence in respect of any prospecting area or claim held by him, or of any lease applied for, at the date of the coming into operation of the said Ordinance.

4. If a Prospector loses his prospecting licence, he may make a declaration Declaration of the loss of a prospecting licence. of loss in the form No. 1 B in the Schedule A hereto, before a Warden, Magistrate or Justice of the Peace, and, on payment of a fee of one Rupee, such declaration shall be received in lieu thereof for all the purposes required in making a transfer or effecting any registration.

Any person who shall, for the purposes of this Rule, knowingly make a false declaration shall be liable to a fine not exceeding seven hundred and fifty Rupees, and any registration of a claim effected on the production of such declaration shall be invalid.

5. A prospecting licence may be renewed at any time during its Renewal. currency on payment of five Rupees.

Every renewal shall be in force for one year from the expiration of the Term of. licence renewed.

6. Application for a prospecting licence shall be made by the applicant in person. Application how made. Application for the renewal of a prospecting licence may be made in writing.

7. No person shall, at the same time, own more than one claim by virtue One claim for each prospecting licence. of the same prospecting licence; but any European of or over the age of 16 may hold any number of prospecting licences, and for each prospecting licence may own one claim. Provided that no person may hold more than one alluvial or placer gold or precious stones claim. Provided further that nothing in this regulation contained shall be deemed to prohibit a discoverer of gold, precious stones, minerals, coal or oil from holding the prescribed number of reward claims by virtue of one prospecting licence.

- As to oil claims. 8. No person who is not a British Subject can peg out or own an oil claim or enjoy the right of mining for oil.
- Privileges under prospecting licence. 9. A prospecting licence authorises the holder to prospect for any gold, precious stones, mineral, coal or oil the property of the Crown, and on the discovery or supposed discovery of any such gold, precious stones, mineral, coal or oil, to peg out a claim authorised by the Ordinance.
- Claims which may be pegged out. 10. A prospecting licence authorises the holder to own a claim of the kind following :
- (a) A gold claim, reef or banket, not exceeding in extent 300 feet in length along the supposed line of the reef or banket and 600 feet in width.
 - (b) A gold or precious stones claim, alluvial or placer, not exceeding in extent 100 feet by 100 feet.
 - (c) A precious stones claim, other than alluvial, not exceeding in extent 20 acres.
 - (d) A mineral claim, not exceeding in extent 40 acres.
 - (e) A coal or oil claim, not exceeding in extent 640 acres.
- When pegging out of claim invalid. 11. The pegging out of a claim is invalid, unless it is done by or in the presence of the person who intends to register the claim as his own and it is done between the hours of 6 a.m. and 6 p.m.
- Shape of claim. 12. The shape of a claim shall, as nearly as circumstances permit, be that of a rectangular parallelogram, the length of the longer side of which shall not exceed twice the length of the shorter side, and one of the sides shall run as nearly as may be in a North and South direction, the bearings being magnetic.
- Mode of taking Possession of claim. 13. (1) A Prospector pegging out a claim shall erect at the point of discovery a post not less than 3 inches through and 4 feet above the ground or a stone monument 3 feet high on which a notice shall be posted signed by the Prospector containing :
- (a) The name of the Prospector.
 - (b) The date of the pegging out of the claim.
 - (c) The length and width of the claim in feet.
 - (d) The distance in feet from the point of the discovery to each end of the claim.
 - (e) The general course of the claim.
- (2) The date of the erection of the post or monument at the point of discovery and the posting of the notice aforesaid shall be deemed to be the date of the pegging out of the claim. Provided that the Prospector shall, before registering the claim, place at each corner of the claim a substantial post 4 feet above the ground or a stone monument 3 feet above the ground on which shall be marked or advertised the initials of the Prospector and the date of the pegging out, and shall further cut two trenches not less than 6 feet long and 6 inches deep in the direction of the boundary lines of which the post is intended to form the corner. Such corner posts or monuments shall be maintained in position while the claim is held.
- Registration of claim. 14. The owner of a claim of whatever nature, within 30 days after the claim is pegged out, or within such additional time (if any) as the Commissioner of Mines may, on the ground of sickness, absence or other like disability of any such owner, or for other reasonable cause, allow, shall register the claim in the Office of the Provincial Commissioner of the Province wherein the claim is situated, or in the Office of the District Commissioner of the District wherein the claim is situate.
- A monthly return of all claims registered shall be furnished by the Provincial Commissioners to the Commissioner of Mines and by District Commissioners to the Provincial Commissioners of their Province and to the Commissioner of Mines
- Prospecting licence to be produced on registration. 15. No claim shall be registered, unless the prospecting licence under which the claim is held is produced to the Officer to whom application for registration is made.
- Mode of application for registration. 16. Any person desiring to register a claim shall sign an application for registration in the form No. 2 A in the Schedule A hereto. Such application together with the prospecting licence under which the claim was pegged out shall be forwarded to or produced at the Office of the Officer authorised to register such claim. The Officer shall thereupon, on payment of a fee of two

Rupees, enter in a book to be called "The Mining Register" full particulars of each application clearly specifying the class of claim and shall fill in and sign a certificate of registration in the form No. 2 B in the Schedule A hereto and shall hand or send such certificate and the prospecting licence to the person producing or forwarding such application.

17. If any person neglects to register his claim in the manner and time required, he shall forfeit all rights in respect thereof. Neglect to register.

18. Any person who shall, by false representation or fraudulent concealment of facts, obtain registration of any claim, shall forfeit his rights in the claim in respect of which such registration has been obtained, and be liable to a penalty not exceeding seven hundred and fifty Rupees. False representation.

19. Within seven clear days after the finding of any gold, mineral, coal or oil in apparently payable quantities within any claim, the owner of the claim shall forward a report in the form No. 3 of Schedule A hereto to the Commissioner of Mines, under pain of forfeiture of such claim. Payable results to be reported.

20. Whenever the Commissioner of Mines shall be satisfied that payable results have been obtained on any claim he may require the owner of the claim to take a lease or leases of such claim within such time as the Commissioner of Mines shall specify. Commissioner of Mines may require a claim owner to take a lease.

If the owner of the claim shall fail to comply with such requisition the claim shall be liable to forfeiture.

21. The ownership of the claim shall subject to the provisions of Regulation 22 hereto confer the following rights in respect thereof:— Rights of owners of claim.

- (a) As to a gold claim, the preferential right to a gold lease, and in the meantime the sole right of mining on the claim for gold and the ownership of all gold or minerals found.
- (b) As to a precious stones claim, the preferential right to a precious stones lease, and in the meantime the sole right to mine on the claim for precious stones, and the ownership of all precious stones, gold or minerals found.
- (c) As to a mineral claim, the preferential right to a mineral lease and in the meantime the sole right to mine on the claim for any minerals, and the ownership of all such minerals when found.
- (d) As to a coal or oil claim, the preferential right to a coal or oil lease, and in the meantime the right to mine for coal or oil and the ownership of such coal or oil when found.

22. Whenever an alluvial or placer deposit of gold or precious stones is found on any claim other than an alluvial or placer claim, the holder of a prospecting licence may peg out on such claim an alluvial or placer claim; and whenever precious stones shall be found on any claim other than a precious stones claim, alluvial placer or otherwise, the holder of a prospecting licence may peg out a precious stones claim; and whenever oil is found on any claim other than an oil claim the holder of a prospecting licence, being a British Subject, may peg out on such claim an oil claim. Claim not to be pegged out twice under the same or different class of claim. Saving as to gold, precious stones or oil.

Save as in this Regulation otherwise provided no area which is pegged out under one class of claim shall be pegged out, except by the owner of such claim or with his sanction, under the same or any other class of claim unless forfeiture of such first mentioned claim has been declared or such claim has been abandoned.

23. Whenever the same area shall be included in different classes of claims, the different classes shall have priority in the following order:— Priority of claims.

- (a) Alluvial or placer gold or precious stones claim.
- (b) A precious stones claim, other than alluvial, a gold claim, reef or banket.
- (c) Mineral coal or oil claims.

but the owners of all claims shall comply with prescribed requisites for securing to each the benefit of his claim, and for preventing unnecessary interference with any right previously existing.

24. A prospecting licence shall confer upon the holder the following rights when engaged actively in prospecting or mining, namely:— Additional rights of a prospector.

- (1) On unoccupied Crown land to take fuel and water for his domestic use provided, however, that he shall not have the

right to cut any standing timber in any Proclaimed Forest Area, or any reserved tree unless he shall have obtained permission in writing from the Conservator of Forests or other prescribed officer.

- (2) On any land on which he is entitled to prospect to take for his domestic use water from any lake, river or stream, and, with the consent of the owner or occupier of private land or on tendering to the owner or occupier a reasonable sum in payment therefor, any fuel other than standing live timber.

Right of residence and grazing on claim.

25. The owner of a claim shall have the right to reside on his claim and of grazing on his claim for six horses or mules, or for sixteen oxen or donkeys free of charge on unoccupied Crown land, and if on any private lands on payment to the owner or occupier of the land where such licence is exercised of fifty cents per diem. Provided, however, that on private land the owner of the claim shall only exercise the rights conferred on him by this Regulation on such portion of the claim as shall be indicated by the owner or occupier.

If any question shall arise between the owner or occupier of the land and the owner of the claim as to the suitability of land indicated by the owner or occupier it shall be determined by the Commissioner of Mines or other prescribed officer.

Owner of claim on abandonment to fill up shaft etc.

26. Any person who shall abandon his claim shall forthwith fill up or fence or secure to the satisfaction of the Commissioner of Mines or other prescribed officer all shafts, pits, holes and excavations, in such manner as to prevent persons or stock inadvertently entering the same.

Penalty.

Any person who shall have failed to comply with the provisions of this Regulation shall be liable to pay, to the Commissioner of Mines if the claim shall have been situate on unoccupied Crown land, or to the landowner if the claim shall have been situate on the land of any landowner, such sum as the Commissioner of Mines or other prescribed officer shall certify will be the cost of filling up, fencing or securing all shafts, pits, holes and excavations on the abandoned claim.

Owner of claim may be required to make a deposit or to enter into a bond.

27. The Commissioner of Mines shall, on the written application of any landowner on whose land a claim shall have been pegged out, require the owner of the claim to deposit with the Commissioner of Mines the sum of four hundred Rupees or to enter into a bond with two sureties to be approved by the Commissioner of Mines in the sum of four hundred Rupees for himself and two hundred Rupees for each of the two sureties for the due and proper repair in the event of the claim being abandoned by him of any surface damage done by him on the land of any owner, and for the due payment of the sum accruing to the landowner from the owner of the claim on account of the daily payments such claim owner is required to make under Regulation 25.

If the owner of the claim shall fail or neglect to make such deposit or enter into such bond as aforesaid within the time specified by the Commissioner of Mines and the landowner shall not, in writing addressed to the Commissioner of Mines, release the owner of the claim from his obligation to make the deposit or enter into such bond, the claim shall be liable to be forfeited.

When deposit may be refunded.

28. The Commissioner of Mines shall hold subject to the provisions of these Regulations, any deposit made under the provisions of the preceding Regulations, until one month after (a) the claim in respect of which the deposit shall have been made shall have been forfeited, or (b) notice shall have been received from the depositor of his intention to abandon the claim, or (c) the depositor shall have transferred the whole of his interest in such claim or (d) a mining lease shall have been granted over the area the subject of the claim; and shall then return to the depositor the sum deposited, less any deduction which may have been made in accordance with the provisions of these Regulations, provided that a suit shall not then have been commenced before the Commissioner of Mines by the landowner for the recovery from the depositor of any moneys due to the landowner under these Regulations.

Sums due to landowner may be deducted from the deposit.

29. Whenever the Commissioner of Mines is satisfied in a suit instituted before him by a landowner, which suit a landowner is hereby authorised to bring although not the holder of a prospecting licence, that any sum is due from the depositor to such landowner in respect of any of the payments, matters or things

in respect of which the deposit has been paid, he may deduct and pay to the landowner out of the moneys deposited such sum as he shall find to be due to the landowner, and in addition the costs, if any, of the suit.

30. A claim shall be deemed to be abandoned in any of the following cases :—

- (1) If, except under such circumstances as may be prescribed, no prospecting or mining shall have been done on the claim by the owner of the claim or by some person in the employ of, or prospecting or mining with the consent of, the owner, for a period of 28 days and notwithstanding that forfeiture of the claim shall not have been declared.
- (2) If the owner of the claim shall notify the Commissioner of Mines in writing of his intention to abandon the claim, or
- (3) If at any time no prospecting licence is held by the owner or if there are more owners than one, by no one of the owners.

Claim when deemed to be abandoned.

31. (1) No claim shall be pegged out upon any area which is being lawfully mined, so as wholly or partially to come within fifty yards of a shaft or sinking in actual use for the purpose of such mining without the consent in writing of the person mining.
- (2) No claim shall be pegged out upon any area which is the subject of a lease for mining purposes, except with the consent in writing of the Commissioner of mines.

No claim to be pegged out within fifty yards of a shaft.

No claim to be pegged out on any area the subject of a mining lease without the consent of the Commissioner.

Working Conditions of Claims.

32. The owner of any gold or precious stones claim shall, after fourteen clear days after the date of registration, continue constantly employed or shall keep one able-bodied European of or over the age of 16 constantly employed in diligently searching and mining for and endeavouring to procure gold or precious stones, as the case may be.

Working conditions of gold or precious stones claim.

33. The owner of any mineral, coal or oil claim shall, after fourteen clear days after the registration of the claim, continue constantly employed or shall keep one able-bodied European of or over the age of 16 constantly employed in diligently searching and mining for and endeavouring to procure minerals, coal or oil, as the case may be.

Working conditions of mineral coal or oil claim.

34. Claims, of whatever nature, shall be constantly and efficiently worked by the complement of men required by these Regulations for eight hours on every working day (other than a public holiday) except Saturday when four hours' work shall be sufficient. All operations connected with the extraction of the gold, precious stones, minerals, coal or oil authorised to be mined, or the preparation and erection of machinery or other requisite appliances for those purposes, shall be deemed to be working the claim, though carried on at a distance therefrom, and the proof thereof shall lie on the owner.

Working of claims.

35. Subject to these Regulations every claim shall be liable to forfeiture upon non-compliance by the owner with the prescribed conditions as to working the same.

Forfeiture for non-compliance with working conditions.

36. No owner of a claim who employs hired labour to work the same shall be deemed to have abandoned or adjudged to forfeit such claim through any neglect, absence or omission on the part of any workman employed thereon by him, such neglect, absence or omission being without the knowledge of the owner. If after such notice in writing, as the Commissioner of Mines may consider reasonable in the circumstances of any case, to such owner, of the neglect, absence or omission of any hired workman, such neglect, absence or omission be continued, the owner shall be deemed to have abandoned his claim; such notice may be served personally or by sending the same to the last known place of abode of such owner, or by advertising the same in the Gazette.

Claim not forfeited by neglect of hired workmen.

37. The Commissioner of Mines may, on written application and for any reason appearing sufficient to him, allow the owner of a claim to suspend or partly suspend mining operations thereon. Such application shall be made by the owner or some person duly authorised by him on that behalf, and shall give the reasons for which suspension is required. The Commissioner of Mines, if satisfied that such reasons are sufficient, shall give to such owner a certificate of suspension in the form No. 4 in Schedule A hereto, which shall authorise suspension or partial suspension, as therein set out for such period or periods, and subject to such conditions (if any) as the Commissioner of Mines may deem fit and as therein set out. The Commissioner of Mines may, on proof of the necessity, grant a renewal of such certificate for such time as the Commissioner of Mines shall deem necessary, and such renewal shall be endorsed on the

Suspension of work.

certificate. Notice shall be kept posted conspicuously on claims during suspension. Should work not be resumed on the expiration of such suspension or renewal, or should the conditions specified in the certificate be not complied with, such claim shall be deemed to be abandoned. A certificate of suspension obtained through fraud or misrepresentation of facts shall be null and void, and the claim shall be liable for forfeiture.

Exemption from forfeiture of claims.

38. Notwithstanding anything in these Regulations, a claim shall not be deemed to be abandoned, nor shall be liable to be forfeited for non-compliance of the owner with the prescribed conditions as to working the same if the owner shall prove to the satisfaction of the Commissioner of Mines that such non-compliance was due to any of the following circumstances:—

- (a) the illness of the owner incapacitating him from work.
- (b) the illness of the European employed by the owner on the claim, incapacitating such employee from work.

Provided that in the case of either (a) or (b) the absence from work has not exceeded 28 days or if it has exceeded such period the owner has endeavoured to procure some other European to work on the claim.

- (c) the absence of the owner or person employed on urgent business, provided that in either case if the absence exceeds 14 days sanction for such absence has been obtained from the Commissioner of Mines.
- (d) the absence of the owner or person employed in attendance at a Court of Law.
- (e) suspension of work necessitated by rain or floods.
- (f) the absence of the owner or person employed during fourteen days, commencing the 22nd day of December in each year.

Overpegging and disputes as to Boundaries.

Disputes as to the boundaries of a claim to be decided by the Commissioner of mines or officer appointed.

39. All disputes as to the boundaries of claims shall be decided by the Commissioner of Mines or by such officer as he may appoint on that behalf.

Marking more ground.

40. When a Prospector has pegged out more ground than he is entitled to, any other Prospector may peg out such ground on any side of the claim, provided that no shaft is interfered with.

Measurement of disputed ground.

41. Where the right to certain ground forms matter of dispute between prospectors, such dispute shall be summarily settled by the Commissioner of Mines or by an officer appointed by the Commissioner of Mines on that behalf and each claim shall be measured from the boundary posts or monuments opposite to the side of the claim in dispute; and no person shall be protected from encroachment unless the boundary posts or monuments shall have been kept visible during the working of the claim.

Taking forcible possession a forfeiture of rights.

42. A Prospector taking forcible possession of a claim, or commencing to work the same after his right to take possession thereof or to work the same has been disputed, shall forfeit all right and title to the possession of such claim, and shall be liable to a fine not exceeding one hundred and fifty Rupees.

Inspection of claims.

43. The Commissioner of Mines or a Warden or any officer appointed by the Commissioner of Mines, may enter upon any claim and descend any shaft and inspect the workings, and every facility shall be afforded by the owner of the claim and his servants for such entry and inspection.

Rights of persons proving liability to forfeiture.

44. A holder of a prospecting licence who shall, in a suit instituted by him before the Commissioner of Mines or a Warden, prove that a claim is liable to forfeiture, shall be entitled to an order declaring and enforcing such forfeiture, and shall, for fourteen days or for such further period as may be allowed by the Commissioner of Mines after the making of such order, have a preferential right to enter upon and peg out such claim.

Title to claim.

45. Possession of a claim by the holder of a prospecting licence shall be *prima facie* evidence of his title thereto.

Redemption of titles.

46. When a claim or any portion thereof, has become liable to forfeiture through non-compliance with these Regulations, such liability to forfeiture shall cease on the subsequent compliance by the owner of such claim with these

Regulations. Provided that no legal process has been commenced for an order declaring and enforcing such forfeiture during the existence of the cause of liability to forfeiture.

Protection of Workings.

47. Shafts or workings shall be so enclosed or protected so as to ensure the protection of persons or stock. Protection of workings.

48. A Prospector or the owner of a claim having a shaft or hole within fifteen feet of a public road shall securely fence or log such shaft or hole. Failure to comply with the requirements of this Regulation shall render the Prospector or the owner of a claim liable to a fine not exceeding seven hundred and fifty Rupees. Shafts and Holes near Roads to be secured.

Discovery by Government Servant.

49. In the event of the discovery of any gold, precious stone, mineral, coal or oil by a person in the service of the Government, it shall be lawful for the discoverer to peg out in the manner prescribed by Sub-section (1) of Section 28 of the Ordinance a Government Protection Area not exceeding six hundred and forty acres and shall forthwith report such pegging out to the Commissioner of Mines. Discovery by Government servant.

50. The Commissioner of Mines, on receiving the report of the pegging out of a Government Protection Area, shall cause the same to be inspected and the boundaries thereof marked in the manner prescribed by Sub-section (2) of Section 28 of the Ordinance and a notice to be posted on the area declaring the same to be a Government Protection Area. Commissioner of Mines to cause area to be inspected and marked out.

51. It shall be unlawful for any person to prospect in a Government Protection Area except with the consent of the Commissioner of Mines. Prospecting on Government Protection Area unlawful except with the consent of the Commissioner of Mines.

52. A Government Protection Area may be disposed of, for the purposes of prospecting or mining, in such manner as the Governor may direct, and there shall be paid as a reward to the discoverer out of the revenues of the Protectorate such sum as the Governor shall determine. Disposal of area for prospecting or mining purposes.
Reward to discoverer.

Transfer of Claim.

53. The holder of a registered claim may, in the form No. 5 in Schedule A hereto, transfer the same to the holder of a prospecting licence; and upon application being made at the office at which the claim was registered, and on payment of the prescribed fees the Provincial Commissioner or District Commissioner shall issue to the transferee a transfer certificate in the form No. 6 in Schedule A hereto and shall register such transfer in The Mining Register. Transfer of whole claim.

54. The owner of a registered claim or the registered owner of a share in such claim may, in the form No. 7 in Schedule A hereto, transfer a share or shares in the said claim; and on application being made at the office at which the claim was registered, and on payment of the prescribed fees the Provincial Commissioner or District Commissioner shall issue to the transferee a transfer certificate in the form No. 8 in Schedule A hereto and shall register such transfer in The Mining Register. Transfer of a share in a claim.

55. The transferee of any claim or share of a claim shall, within 30 days of the date of the transfer, make application for the registration of such transfer in the form No. 2 A. Time and mode of registration.

Such application and the prescribed fee shall be forwarded to or produced at the office at which the claim was first registered.

56. A Provincial Commissioner or District Commissioner shall not, without the consent of the Commissioner of Mines first obtained, register a transfer or grant a certificate of transfer unless the interest of the transferer has been previously registered. When registration of transfer to be refused.

57. Any transferee of a claim or a share in a claim who shall neglect to register the transfer within the time and in the manner prescribed by these Regulations shall be liable to a penalty not exceeding three hundred Rupees which penalty may be imposed by the officer at whose office the transfer should have been registered, and may be recovered in a suit brought in the name of such officer in the Court of the Commissioner of Mines, and until such penalty Penalty for neglect to register.

is paid the transfer for the neglect to register which the penalty has been imposed, shall not be registered, unless the Commissioner of Mines shall otherwise direct.

Liens how Effected.

Liens on claims and shares therein.

58. The owner of any claim or share or interest therein may give a lien upon the same as security for the due payment of any debt, and upon the execution by the lienor of a lien ticket duly attested in the form No. 9 in Schedule A hereto, and upon the production of such lien ticket to the officer in charge of the office at which the claim is registered, and on payment of a fee of two Rupees, such officer shall register in The Mining Register a lien upon the claim share or interest, and shall then issue to the lienee a duplicate of the lien ticket, and every such lien registered as aforesaid shall be a specific charge upon such mining tenement, share or interest until the debt has been paid in full, and if more than one lien has been effected on any claim share or interest, such liens shall take precedence according to the dates of their respective registrations. Provided that on the production to the officer in charge of the office of the registration of such lien by the lienor of a receipt, duly signed by the lienee in the presence of a Magistrate or Justice of the Peace, for the debt or liability for which such lien was held, such officer shall forthwith cancel such lien. In the event of the lienor failing to redeem such claim share or interest at the time appointed the lienee may cause the same to be sold by public auction, having first advertised his intention of doing so in a paper circulating in the locality, and posted a copy of such advertisement on a conspicuous part of the claim, not less than seven days before the day of sale, and the lienee shall hold the proceeds of the sale upon trust to pay all costs consequent on such default, then to pay the debts secured by the lien, and to pay the balance, if any, to the lienee. The lienor shall be entitled to redeem at any time before sale upon payment of debt and expenses incurred; and in case of any sale under the powers herein containing the officer in charge of the registration office, upon production of the lien ticket accompanied by a statutory declaration of default having been made in payment of the money secured thereby, and in the case of a purchase of the claim, the prospecting licence of the purchaser, register such purchaser as the owner or holder of the claim, share or interest in lieu of the lienor. A lienee shall not, by virtue of the lien, be held to be a co-partner in any claim, share or interest on which he holds a lien.

Amalgamation of Claims.

Amalgamation of gold claims.

59. The Commissioner of Mines may allow the amalgamation of any number of duly registered adjoining gold claims of the same class.

Amalgamation of precious stones claims.

60. The Commissioner of Mines may allow the amalgamation of any number of duly registered adjoining precious stones claims of the same class.

Amalgamation of mineral claims.

61. The Commissioner of Mines may allow the amalgamation of any number of duly registered adjoining mineral claims, not exceeding four.

Amalgamation of coal and oil claims.

62. The Commissioner of Mines may permit two adjoining coal or oil claims to be amalgamated.

Labour conditions of amalgamated claims.

63. There shall, subject to the provisions of these Regulations with regard to the working of claims, be constantly employed in mining and searching for gold, precious stones, minerals, coal or oil, as the case may be, within the amalgamated claim, the same number of Europeans as under the Regulations would be required if each of the claims amalgamated were separately occupied. Provided that the Commissioner of Mines shall at any time be satisfied that the number of Europeans employed on any particular amalgamated claim might properly be reduced, he may by writing under his hand direct that for a time to be specified and subject to such conditions as may be specified the working conditions of the amalgamated claim shall be sufficiently complied with if there be constantly employed thereon such number of Europeans of or over the age of 16 as may be specified in such writing

Application for permission to amalgamate claims.

64. Application for permission to amalgamate claims shall be made to the Commissioner of Mines in the form No. 10 in Schedule A hereto, who, if he approves, shall, on payment by the applicants of the prescribed fees give to the applicants a certificate of amalgamation in the form No. 11 in the said Schedule. The Commissioner of Mines shall forward to the office of the officer who shall have registered the claims a copy of such certificate and such last officer shall register the same in the Mining Register.

Loss of Certificate.

65. If any person loses a certificate granted under these Regulations, he may make a declaration of loss in the form No. 1 B in Schedule A hereto, before a Warden, Magistrate or Justice of the Peace, and, on payment of a fee of one Rupee, such declaration shall be received in lieu thereof for all the purposes required in making a transfer or effecting any registration.

Loss of certificate.

Surveys.

66. The Commissioner of Mines or any Warden may, if satisfied that a survey is necessary for the prevention of differences as to the boundaries of the land included in any claim or for securing a proper definition of the area included therein, give to the owner of such claim a notice that a survey is required to be made of the land included in such claim, and a plan thereof furnished to the Department of Mines and demand the cost of the survey and plan to be estimated as hereinafter provided. Such owner or holder shall within the time specified in such notice pay to the Commissioner of Mines or Warden giving such notice the cost of such survey and plan demanded.

Survey of claim may be required.

67. As soon as conveniently may be after payment of the cost demanded the Director of Surveys shall cause to be made a proper survey of the land included in such claim and shall forward a plan thereof to the Department of Mines, together with a report in writing upon all matters which appear necessary to the Surveyor, or upon which the Commissioner of Mines or a Warden shall, by written instructions, require him to report.

Survey to be made on payment of fee.

68. In case the owner to whom notice has been given in pursuance of Regulation 66 fails to pay the amount demanded as the cost of such survey within the specified time, the claim in respect of which such survey is required shall become liable to forfeiture.

Non-compliance with notice requiring survey.

69. The Commissioner of Mines or a Warden authorised to hear suits under the Ordinance, may, during the hearing of a suit before him if it shall appear necessary, order any party to the suit to cause a survey and a plan to be made of any land forming the subject of a suit, and in the meantime may adjourn the hearing of the suit; and the Commissioner of Mines or the Warden may make such order as to payment of the costs of such survey and plan as he may think fit.

Commissioner of Mines or Warden may order survey whilst suit pending

70. No person shall make a survey required to be made by the Ordinance or any Regulations thereunder unless under the instructions of the Director of Surveys, nor shall any plan which has not been passed by the Director of Surveys or an officer acting under his authority, be received or acted upon by the Commissioner of Mines or any Warden, nor shall the making of a survey or preparation of a plan be deemed to be a compliance with a notice requiring survey given by any officer duly authorised in that behalf, unless the survey is made under the instructions of the Director of Surveys and the plan is passed as aforesaid.

No survey to be for the purposes of the Ordinance or Regulations except by or through the Survey Department.

71. The cost of a surface survey shall be estimated and charged in accordance with the scale of charges for the time being levied by the Survey Department for a survey for the purposes of a lease of Crown land.

Cost of survey.

Prospecting in a Native Reserve

72. Whenever any person shall register a claim situate in whole or in part in a Native Reserve, the Officer registering such claim shall forthwith furnish the Provincial Commissioner of the Province in which such claim is situate with particulars of the claim and the situation thereof.

The Officer registering a claim in a Native Reserve to notify the Provincial Commissioner.

73. (1) Regulations 24-29 (both inclusive) of these Regulations shall apply to prospecting in a Native Reserve and to claims in a Native Reserve as if such Reserve was private land. Provided that all rights privileges and powers conferred upon a landowner or the occupier of land shall be vested in the Provincial Commissioner of the Province in which the Reserve is situate, and all payments which, under any of the Regulations aforesaid, should be made to a landowner or an occupier of land, shall be made to such Provincial Commissioner

A Native Reserve to be deemed to be private land for the purposes of Regulations 24-29.

The Provincial Commissioner to be deemed to be the owner and occupier of land in a Native Reserve.

Provincial Commissioner to hold all payments made to him as landowner or occupier for the benefit of the natives.

- (2) A Provincial Commissioner shall hold any monies paid to him under the provisions of the last preceding Regulation for the benefit of the Natives occupying the Reserve and shall first pay out of such monies to any Native who may be disturbed in the occupation or cultivation of any land by prospecting or mining such compensation as he may deem proper and shall expend the residue of such monies on such works as he may consider to be for the benefit of the Natives of the Reserve.

Protection areas and reward claims.

Alluvial or placer protection area gold and precious stones.

74. The holder of a prospecting licence desiring to prospect for gold or precious stones may peg out an alluvial or placer protection area of the following dimensions:—

- Not less than half a mile from the nearest alluvial or placer working, 100 yards by 100 yards.
- Not less than one mile, 150 yards by 150 yards.
- Not less than two miles, 250 yards by 250 yards.
- Three miles and over, 500 yards by 500 yards.

No alluvial or placer protection area shall be pegged out within half a mile from the nearest occupied gold or precious stones workings, as the case may be. During the period the area is being worked the holder shall be protected for two months in the occupation thereof.

Discovery of payable gold or precious stones within an alluvial or placer protection area must be reported.

75. Within seven clear days after the finding of gold or precious stones in apparently payable quantities within an alluvial or placer protection area, the holder thereof shall forward a report in the form No. 3 in Schedule A hereto, to the Commissioner of Mines, under pain of forfeiture of such area. The Commissioner of Mines shall cause the area to be inspected, and if satisfied that gold or precious stones have been found in payable quantities, shall authorise the prospector to peg out an alluvial reward claim (according to the distance from any known occupied gold or precious stones workings.) A prospector discovering payable gold or precious stones, and neglecting to report the same without delay, shall not be entitled to a reward claim.

Alluvial and placer reward claims.

76. The size of alluvial and placer reward claims given for the discovery of payable gold or precious stones in an alluvial protection area shall be in proportion to the distance from the nearest occupied gold or precious stones workings as follows:—

- If distant half a mile, 200 feet by 200 feet.
- If distant one mile, 100 yards by 100 yards.
- If distant two miles, 150 yards by 150 yards.
- If distant three miles or more, 200 yards by 200 yards.

Gold reef or banket protection area.

77. The holder of a prospecting licence may peg out a gold reef or banket protection area. Such area shall be of the same width but double the length of a gold reef or banket claim, and during the period the said area is being worked, the holder shall be protected for three months in the occupation thereof, and on discovering a new and unworked reef or vein or banket and reporting such discovery to the Commissioner of Mines shall be entitled to a reef or banket reward claim.

No gold reef or banket protection area shall be pegged out within one mile from the nearest gold workings.

Reef and banket reward claims.

78. The size of a reef or banket reward claim shall be 600 feet in length along the supposed line of the reef or banket and 600 feet in width.

Precious stones protection area.

79. The holder of a prospecting licence prospecting for precious stones, other than alluvial, may peg out a precious stones protection area, not exceeding 40 acres in extent. During the period the said area is being worked the holder shall be protected for three months in the occupation thereof, and on discovering precious stones, other than alluvial, in apparently payable quantities in such area and on reporting the discovery to the Commissioner of Mines shall be entitled to a precious stones reward claim.

No precious stones protection area shall be pegged out within one mile from the nearest precious stones working.

80. The size of a precious stones reward claim (other than alluvial) shall be forty acres. Precious stones reward claim.

81. The holder of a prospecting licence prospecting for minerals may peg out a mineral protection area. Such area shall not exceed eighty acres in extent. During the period the said area is being worked the holder shall be protected for three months in the occupation thereof. No mineral protection area shall be pegged out within one mile of any gold, precious stones, mineral, coal or oil working. Minerals.

82. The provisions of these Regulations relating to claims (other than Regulations 37 and 59-64 (both inclusive) shall, *mutatis mutandis*, apply to protection areas, and all the provisions of these Regulations relating to claims shall apply to reward claims. Provided however no person shall, at the same time, hold more than one protection area. General provisions relating to protection areas and reward claims.

Sole Prospecting Rights.

83. The Commissioner of Mines may, with the approval of the Governor, grant licences to search on any specific Crown lands, not exceeding five square miles in area for gold, precious stones, minerals, coal and oil. Sole prospecting licence may be granted over an area not exceeding 5 square miles.

84. A fee of fifteen Rupees for each square mile or portion thereof included in any licence shall be paid by the licensee to the Commissioner of Mines, before the issue of the licence. Fee.

85. A sole prospecting licence may be in the form No. 12 in Schedule A. hereto, and shall be in force for twelve months from the date thereof, and shall, subject to the Regulations, authorise the licensee, his assigns, servants and workmen: Provisions of licence.

- (1) To search and mine the land comprised in the licence, for gold, precious stones, minerals, coal and oil.
- (2) With the consent of the Commissioner to remove any materials from the land for testing purposes.

86. Every licensee shall:

- (1) Employ and keep employed during six months at least of the term of the licence in searching for gold, precious stones, minerals, coal and oil on the lands comprised in the licence one European of or over the age of 16 for every square mile, or portion thereof, of land comprised in the said licence.
- (2) Furnish the Commissioner of Mines, whenever required by him, with satisfactory evidence of compliance with the provisions of this Regulation.
- (3) Report to the Commissioner of Mines forthwith after the discovery in payable quantities of gold, precious stones, minerals, coal or oil.

Duties of licensee.

And if any licensee shall make default in complying with the provisions of this Regulation, his licence shall be forfeited.

87. Private lands and lands held as a prospecting claim or under a mining lease shall be exempt from a licence. Exemption.

88. Every licensee shall, during the currency of the licence have a preferential right to a lease for mining purposes under and subject to the provisions of the Ordinance. Preferential right.

Upon the preferential right being exercised the licence shall at once cease and determine, and shall be returned by the licensee to the Commissioner of Mines.

89. The Commissioner of Mines shall cause notice of every licence granted to be published in the "Gazette". Notice of issue of licences.

90. No licence held by a person who is not a British Subject shall confer any right on the holder to prospect for oil or to acquire claims or leases for mining for or working oil. Reservation of right to prospect for oil.

91. A licensee shall not assign his licence or any interest thereunder, except with the consent of the Commissioner of Mines first obtained, for which consent a fee of five Rupees shall be paid by the licensee. Transfer of licence.

Gold and precious stones leases.

92. The Governor may grant to the owner of a gold or precious stones claim a gold or precious stones lease not exceeding twenty acres. Area of Gold or Precious Stones lease.

93. A gold or precious stones lease may be for any term not exceeding forty two years and shall reserve an annual rent of one rupee an acre payable Term, rent, and royalty

yearly in advance, the first payment to be made on making the application for such rent, and shall also reserve such royalty, not exceeding, except in the case of precious stones, ten per cent. on the net profits, as the Governor in the case of each lease shall direct.

Form of gold and precious stones lease.

94. Gold and precious stones leases shall be in such form and shall contain such covenants as the Governor may direct.

Right to metals.

95. The holder of a gold lease or precious stones lease is entitled to mine for gold, precious stones, metals, minerals and coal in and upon such land, subject to the conditions of his lease and to the Regulations for the time being in force under the Ordinance, but is not entitled to mine for or to work oil.

Number of gold and precious stones leases.

96. Any number of gold or precious stones leases may be held by one person.

Mode of applying for gold or precious stones lease.

97. Every applicant for a gold or precious stones lease must, twenty one days before forwarding his application to the Commissioner of Mines, do the following things:—

Erect posts not less than three inches in diameter, and not less than three feet above the ground, to define the boundaries and angles of the land, such posts to be fixed at the point of intersection of two trenches cut out in the earth, not less than three feet long, one foot wide and six inches deep, cut in the direction of the boundary lines of which the post is intended to form one corner, and to be kept erected until the boundaries of the land are defined by a Surveyor.

Post a notice in a conspicuous part of the ground, stating his intention of applying for a gold or precious stones lease.

Serve a similar notice on any person occupying or having any rights on or under the land, or any part thereof.

Insert a similar notice in one of the Nairobi daily papers, such notices to be repeated once every week until the expiry of twenty one days.

Form of application.

98. An application for a gold or precious stones lease shall, within twenty one days after the expiration of the advertisement mentioned in the last preceding Regulation, be made to the Commissioner of Mines in the form No. 13 in Schedule A hereto.

Description of boundaries to be supplied.

99. Applications for gold or precious stones leases must be accompanied by a description of the boundaries of the land applied for, together with the amount of the first year's rent, calculated at a rate of one rupee for each acre included in such application.

Shape of land.

100. In all cases where the land is so available, the area applied for shall be rectangular and its length shall not exceed twice its breadth, and one of such sides shall run as nearly as may be in a North and South direction, the bearings being magnetic, but when regular rectangular areas are not available, owing to the positions of the adjoining boundaries or natural features, leases of any intervening or irregularly shaped pieces of land may be granted by the Governor.

Survey.

101. No lease shall be granted until the land has been surveyed and a plan thereof made under the directions of the Director of Surveys. The cost of such survey and the preparation of such plan shall be estimated and charged in accordance with the scale of charges for the time being levied by the Survey Department for the survey for the purposes of a Crown lease, and shall be paid by the applicant or applicants for the lease.

Objections to lease.

102. Any person objecting to the granting of any gold lease or precious stones lease must lodge his objections in writing, setting out the grounds thereof with the Commissioner of Mines, before the expiry of four weeks from the date on which the first notice required by Regulation 97 is inserted in a Nairobi daily paper.

Report by Commissioner of Mines.

103. The Commissioner of Mines shall, as soon as practicable, after consideration of the application, and of all circumstances connected therewith, and of any objections made thereto, report thereon to the Governor,

Governor's sanction to lease.

104. On receiving the report of the Commissioner of Mines on an application for a lease, the Governor may sanction the granting of the lease either in respect of the whole or a portion of the area applied for, or may refuse such lease, or sanction the grant of the same, subject to any special covenants or conditions.

Execution of lease.

105. The applicant shall execute the lease within twenty one days after the date of notification that the same is ready for execution, which notification shall be forwarded by the Commissioner of Mines through the post, addressed to the applicant at the address given in the application, and after that time the

applicant shall not be allowed to execute the lease, unless by the permission of the Commissioner of Mines, but in no case shall the applicant execute the lease after the expiration of sixty days after the date of the above mentioned notification, and the lease shall thereupon be deemed void.

106. A lease of private land for mining purposes shall confer upon the lessee surface rights only so far as may be absolutely required for or in connection with mining purposes. Whenever a disagreement shall arise between the owner of private land and a lessee of such land for mining purposes as to whether any surface right claimed by the lessee is absolutely required for or in connection with mining purposes the same shall be determined by arbitration.

Surface rights conferred by mining lease on private land.

107. An owner of private land who shall be disturbed in his possession, or damaged or injured in any way by reason or in consequence of any right or power conferred by any lease of such land for mining purposes shall be entitled to claim from the lessee compensation in respect of such disturbance, damage or injury, the amount of which compensation shall, in all cases of disagreement, be determined by arbitration.

Owner of private land entitled to compensation for disturbance, etc.

108. A lease for mining purposes of land, other than private land, shall confer upon the lessee surface rights only so far as may be absolutely required for or in connection with mining purposes. Whenever a disagreement shall arise between the Government or any department of the Government and a lessee for mining purposes as to whether any surface right claimed by the lessee is absolutely required for or in connection with mining purposes the same shall be determined by the Commissioner of Mines and his decision thereon shall be final.

Surface rights on Crown land.

109. (1) Land situate in a Native Reserve shall be deemed to be private land for the purposes of Regulations 106 and 107 and for the purposes of the said Regulations the Provincial Commissioner of the Province in which the Reserve is situate shall be deemed to be the owner of such land.

Surface rights in a Native Reserve.

(2) If any Native or Natives shall be disturbed in his occupation of land in a Native Reserve, or damaged or injured in any way by reason or in consequence of any right or power conferred by any lease of land in such Reserve for mining purposes, the Provincial Commissioner of the Province in which the Reserve is situate may, on behalf of such Native or Natives claim from the lessee compensation in respect of such disturbance, damage or injury, the amount of which compensation shall, in all cases of disagreement, be determined by arbitration.

(3) Any monies paid to a Provincial Commissioner as compensation under the Regulations shall be held by him for the benefit of the Natives occupying the Reserve, and he shall first pay out of such monies to the Native or Natives who may have been disturbed in their occupation of the land the subject of the mining lease or who shall have been damaged or injured as aforesaid such compensation as he may deem proper and shall expend the residue (if any) in such works as he may consider to be for the benefit of the Natives in the Reserve.

110. (1) A lease for mining purposes granted in respect of private land shall not confer upon the lessee the right to cut timber on the lands the subject of the lease, except the removal of any tree shall be necessary for or in connection with mining purposes. The lessee shall, if required by the owner of the tree cut, pay to him the value of any tree and shall not without the consent of such owner be entitled to use the timber cut, unless and until he has paid or tendered such value.

Mining lessees' rights in respect of standing timber.

(2) A lease of land, other than private land or land situate within a proclaimed forest area, for mining, shall confer upon the lessee the right to cut and utilise for or in connection with mining purposes any tree growing on the land the subject of the lease, provided, however, that the prescribed royalty shall be paid to the Forest Department in respect of any tree which may be protected by virtue of Rules issued under Section 13 of "The Forest Ordinance, 1911."

(3) Whenever a lease for mining purposes shall be granted in respect of land situate within a proclaimed forest area, the lessee may cut down any tree growing on the land the subject of the lease

provided the removal of the tree is necessary for or in connection with mining purposes, but the lessee shall pay to the Forest Department the prescribed royalty on any such tree. Unless the sole right to cut such tree has been granted under The Forest Ordinance, 1911 to some other person the lessee may, on paying such royalty, sell or use the timber cut for any purpose he may think fit. If the sole right to cut such tree has been granted to some other person as aforesaid the lessee shall pay to such person the value of the timber cut and on paying or tendering such value shall be at liberty to sell or use the timber for any purpose he may think fit.

Notice of granting, etc. of lease.

111. Due notice shall be given in the Gazette on the granting, forfeiture, or surrender of any lease.

Forfeiture.

112. A gold or precious stones lease is liable to forfeiture on breach of any of the covenants or conditions therein contained.

Surrender.

113. Lessees may, on giving three months' notice of their intention to the Commissioner of Mines, and upon payment of all arrears of rent and all royalties, surrender the lease, and shall have power to remove all machinery, plant, engines, and tools from the land so leased prior to the expiry of such notice.

Person proving liability of lease to forfeiture may, at the discretion of the Governor, be granted a lease.

114. Where any person proves to the satisfaction of the Governor that a gold or precious stones lease is liable to forfeiture, or where such person gives information which leads to the establishment of the liability of such lease to forfeiture, and such person at the time of proving such liability to forfeiture, or of giving the information leading to the establishment of such liability to forfeiture, applies by writing under his hand for a gold or precious stones lease of the lands comprised in such lease, the Governor may cancel the lease and issue to such applicant a gold or precious stones lease of the lands comprised in the cancelled lease, for the unexpired balance of the term of such lease.

Amalgamation of leases.

115. The Commissioner of Mines may grant a certificate of amalgamation of not more than four gold or precious stones leases, and also may, for such period as he shall think fit, permit the labour performable in respect of all the leases so amalgamated to be performed on any one or more of them. Application for amalgamation of leases shall be in the form No. 14 in Schedule A hereto. Every certificate of amalgamation shall be registered.

Working conditions to be observed by gold and precious stones lessees.

116. The lessee of a gold or precious stones lease shall, during the term of the lease, keep constantly employed in mining or prospecting for gold or precious stones, as the case may be, on the lands leased, one European of or over the age of sixteen for every five acres or portion of five acres of such land, and shall furnish the Commissioner of Mines, whenever required by him, with satisfactory evidence that such number of Europeans have been and are employed.

Discovery to be reported.

117. The lessee shall forward a report to the Commissioner of Mines in the form No. 3 when payable gold, precious stones, metals, minerals, coal or oil are found in payable quantities on the leased land, and in default of his so doing the lease shall be liable to forfeiture.

Suspension from work.

118. After six months' work, as required by his lease, has been performed, the lessee under a gold or precious stones lease may apply to the Commissioner of Mines for a suspension or partial suspension of the labour conditions of his lease, for a period not exceeding three months. If good cause for such suspension or partial suspension be shown, the Commissioner of Mines may grant a certificate of suspension in the form No. 15 in Schedule A hereto, upon such conditions as to bailing or otherwise as he may deem necessary and upon payment of the prescribed fee. Any failure on the part of the lessee to comply with such conditions shall be deemed to be a revocation of such suspension and the lease shall be liable to forfeiture.

Notice of suspension to be posted.

119. When the labour conditions of a lease are suspended under the last preceding Regulation, notice of such suspension shall forthwith be posted, and kept posted on the leased land, or the lease will be liable to forfeiture.

Renewal of suspension.

120. No certificate of suspension of the labour conditions of a gold or precious stones lease shall be renewed, and no second or subsequent certificate of the suspension shall be granted either by a warden or the Commissioner of Mines until six months' work, as required by such lease, has been done on the leased lands subsequently to the date of the expiration of the last certificate of suspension.

Lessee of gold or precious stones leases to furnish returns.

121. The lessee under a gold or precious stones lease shall, half-yearly, in the months of January and July, furnish to the Commissioner of Mines a full and true return, showing the quantity of stone or ore treated, the quantity of gold, precious stones, minerals and coal taken from the land leased during the

preceding half year, and in default shall be liable, on conviction, to a fine not exceeding 150 Rupees for every such default, and the lease shall be liable to forfeiture.

Mineral Leases.

122. The Governor may grant to the owner of a mineral claim a mineral lease of land not exceeding forty acres. Mineral leases.

123. A mineral lease may be for any term not exceeding forty two years, and shall reserve an annual rent of one rupee an acre payable yearly in advance, the first payment to be made on making the application for such lease, and shall also reserve such royalty, not exceeding ten per cent on the net profits, as the Governor, in the case of each lease, shall determine. Term, rent, and royalty.

124. The lessee of a mineral lease shall, during the term of the lease, keep constantly employed in mining or prospecting for minerals on the land leased not less than one European of or over the age of 16 for every twenty acres or portion of twenty acres of such land, and shall furnish the Commissioner of Mines, whenever required by him, with satisfactory evidence that such number of men have been and are employed. Working conditions to be observed by lessee.

125. The holder of a mineral lease shall have a preferential right to a gold or precious stones lease of the land comprised in such lease, or any part thereof. Preferential right to a gold or precious stones lease.

126. The holder of a mineral lease shall not be entitled by virtue of his lease to mine or remove any gold, precious stones, coal or oil. Right of lessee to minerals only.

127. The provisions of Regulations 94 and 96 to 115 (both inclusive) and 117 to 121 (both inclusive), *mutatis mutandis*, shall apply to mineral leases. General.

Coal and Oil Leases.

128. The Governor may subject to the provisions of the Ordinance, grant to a holder of a coal or oil claim a coal or oil lease of land not exceeding 640 acres. Lease for coal or oil.

129. A coal or oil lease may be for any term not exceeding forty two years, and shall reserve an annual rent of one rupee an acre payable yearly in advance, the first payment to be made on making the application for such lease, and shall also reserve such royalty, not exceeding 10 per cent. on the net profits, as the Governor, in the case of any lease, may determine. Term, rent and royalty

130. No person shall hold more than one coal or oil lease except with the consent in writing of the Governor first obtained. Number of leases.

131. The lessee of a coal or oil lease shall during the term of the lease, keep constantly employed in mining and prospecting for coal or oil, as the case may be, upon the land leased, one European of or over the age of 16 for every eighty acres or portion of eighty acres of the land leased, and shall furnish the Commissioner of Mines, whenever required by him, with satisfactory evidence that such number of men have been and are employed. Labour conditions.

132. The holder of a coal lease shall be entitled by virtue of his lease to mine and remove coal only, and the holder of an oil lease shall be entitled to work and remove oil only. Rights of coal and oil lessee.

133. Every lease granted for the purpose of mining for oil or authorising the lessee to mine for oil shall be subject to the approval of the Secretary of State and shall only be given subject to the following conditions:— Special conditions in respect of oil leases.

- (a) That the lessee shall give an undertaking that he will, if required to do so, erect in the Protectorate a refinery capable of dealing with the out-put of oil from the area leased to him, and will so treat the oil as to produce residues suitable for the requirements of His Majesty's Government, provided that the lessee may, if he prefer to do so, arrange with the proprietors of some approved refinery already erected in the Protectorate to refine the oil in accordance with the requirements of His Majesty's Government, provided also that the Governor shall have the power to waive this condition in any lease, either for a fixed period to cover the initial stages of development or until a reasonable time after His Majesty's Government shall have announced its readiness to purchase from the lessee stated quantities of oil residues at their current commercial value.
- (b) That the lessee shall give reasonable security for the proper development of the area leased :
- (c) That His Majesty's Government shall have the right of pre-emption at current commercial prices of all crude oil won from the area leased, and of all products of the refining or treatment of such oil :

- (d) That is the event of war, the Governor on behalf of His Majesty's Government shall have power to take control of the works and plant in the area leased :
- (e) That the Governor shall have the power to regulate the site of any refinery or place of storage of oil in the Protectorate.
134. (1) No lease for the purpose of mining for oil or authorising the lessee to mine for oil shall be granted and no assignment of any such licence or lease shall be made, unless the lessee or assignee shall be a British Subject or a firm or Syndicate, all the members of which shall at all times be and remain British Subjects, or a British Company registered in Great Britain or in a British Colony or in the Protectorate and having its principal place of business within His Majesty's Dominions or the Protectorate, and the Chairman of the said Company and all the remaining Directors shall at all times be British Subjects and the Company shall not at any time be or become a Corporation directly or indirectly controlled by foreigners or foreign Corporations.
- (2) If the lessee shall assign the same in whole or in part without the previous consent in writing of the Governor, or if the lessee or assignee shall cease to be a British Subject, or if, where a firm or Syndicate is the lessee or assignee, any member of the firm or Syndicate shall cease to be a British Subject, the Governor may thereupon cancel the lease, and in the event of any alteration being made in the articles of association or constitution of a Company holding any such lease previous notice thereof shall be given in writing to the Governor, who if in his opinion the said alteration shall be contrary to the cardinal principle that the said Company shall be and remain a British Company and under British control, may refuse his consent to such alteration. If and whenever any such alteration shall be made without the written consent of the Governor or if the Company shall at any time cease to be a British Company or shall become a Corporation under foreign control, the Governor may thereupon cancel the lease.

Oil lease only to be granted or assigned to British Subject.

General conditions.

135. The provisions of Regulations 94 and 97 to 115 (both inclusive) and 117 to 121 (both inclusive), *mutatis mutandis*, shall apply to coal and oil leases.

Miscellaneous Leases.

Salt and gypsum leases.

136. A lease for the manufacture or obtaining of soda, salt or gypsum may be granted for a term not exceeding forty two years of Crown Lands not exceeding 40 acres in area and at such yearly rental, not being less than one rupee an acre, as the Governor shall in each case determine.

Mineral spring lease.

137. A lease for the working of mineral springs may be granted for a term not exceeding forty two years of Crown lands not exceeding twenty acres in area at such annual rental, not exceeding one rupee an acre, as the Governor shall in each case determine.

Working conditions.

138. The lessee, under a soda, salt, gypsum, or mineral springs lease, shall keep constantly employed on the leased land such number of men as the Governor shall fix for the purpose of the lease.

Applications.

139. Applications for miscellaneous leases shall be made in writing to the Commissioner of Mines, and shall describe the situation of the land. It shall not be necessary for the applicant to peg out the land applied for unless requested to do so by the Commissioner of Mines.

Survey.

140. A miscellaneous lease shall not be granted until the land has been surveyed and a plan thereof prepared by the Survey Department at the expense of the lessee.

Conditions of lease.

141. Every miscellaneous lease shall contain :

- (1) A covenant by the lessee to use the leased land *bona fide* for the purpose for which it shall be leased, and for no other purpose.
- (2) A covenant by the lessee that he will duly pay the rent reserved and the royalty (if any) payable under the lease.
- (3) Such other covenants as the Governor may direct.
- (4) A proviso for forfeiture upon breach by the lessee of any covenant or condition therein.

142. A miscellaneous lease of land in a Native Reserve shall not be granted unless the Provincial Commissioner of the Province in which the land is situate shall certify in writing that the applicant for the lease has paid to him for and on behalf of the Natives fair remuneration for the disturbance of their occupation. Lease of land in a Native Reserve.

143. A miscellaneous lease shall not be granted in respect of Crown lands which have been sold or leased by or on behalf of the Crown except to the lessee or purchaser of such land. Crown lands leased or sold.

144. The provisions of Regulations 103, 104, 105, 112 and 113, *mutatis mutandis*, shall apply to miscellaneous leases. General conditions.

Registration of Leases, etc.

145. Nothing in these Regulations shall affect the provisions of the East Africa Registration Regulations 1904 or of any other law for the time being in force relating to the registration of documents or shall be construed to exempt any person from the obligation to register any document under and in accordance with the said Regulations or other law. Registration of leases and assignments etc.

Rights to Water.

146. No prospector claim holder or lessee under a mining lease shall divert water from any stream or lake or take water from any dam, race or reservoir without the sanction of the Commissioner of Mines, nor permit sludge or other noxious matter to flow into any stream, lake, dam, race or reservoir. No water to be diverted without sanction. Pollution of water prohibited.

The Commissioner of Mines Court.

147. The mode of proceeding in a suit before the Commissioner of Mines shall be as follows:— Mode of proceeding in a suit before the Commissioner of Mines

- (1) The person suing shall lodge a plaint note in duplicate at the office of the Commissioner of Mines.
- (2) The plaint note shall be in the form No. 16 in Schedule A, or in a form to the like effect, and shall specify shortly the subject matter of the complaint and the relief claimed.
- (3) Upon receipt of the plaint note the Commissioner of Mines shall give notice in the form No. 17 in Schedule A, by post or otherwise, to the party sued of the nature of the suit, and the time and place at which the same will be heard and determined.
- (4) At the time and place appointed the parties shall attend and state their cases before the Commissioner of Mines, and may call evidence on oath (which oath the Commissioner of Mines is hereby authorised to administer) in support thereof, and the Commissioner of Mines, having heard such statement and evidence, shall give his decision.
- (5) The Commissioner of Mines may adjourn the hearing of a suit to any other time or place, and may, either at the original hearing or at any adjournment, proceed in the absence of either party.
- (6) Save as in the Ordinance otherwise expressly provided no person who is not the holder of a prospecting licence in his own name shall have any right to institute proceedings before the Commissioner of Mines.
- (7) Each party may procure the attendance of witnesses in the form No. 18 in Schedule A. Every witness so summoned shall be entitled to require payment of his expenses, as if summoned as witnesses in civil proceedings before a Subordinate Court of the first class. A witness who has been duly summoned and who fails to appear or to produce any book, papers, document, plan or thing in his custody, possession or power, shall be liable to a fine not exceeding one hundred and fifty Rupees, and in default of payment, to imprisonment not exceeding one month.
- (8) Save as otherwise prescribed in Schedule B hereto, the fees to be charged for matters in the Court of the Commissioner of Mines shall be in accordance with the scale of fees for the time being prescribed for a Subordinate Court of the first class.

Fees.

148. The fees prescribed in Schedule B hereto shall be levied in respect of the matters therein mentioned. Fees- 1911-12 Schedule B.

Schedule A.

No. I "A".

THE MINING ORDINANCE, 1912.

Prospecting Licence.

E. A. P.

East Africa Protectorate.

Fee Five Rupees.

No.....

No.....

Prospecting Licence.

Prospecting Licence.

Issued at.....

Issued to.....

Issued to.....

under the provisions of "The Mining Ordinance,

Residence.....

1912," to be in force until.....day of.....

Date of issue.....

19 .

Date of expiry.....

Place of issue.....

Fee Paid.....

Date of issue

(Not Transferable.)

Commissioner of Mines.
(or Officer authorised to issue).

Commissioner of Mines.
(or Officer authorised to issue).

No. I "B".

THE MINING ORDINANCE, 1912.

Form of Declaration of Loss of Prospecting Licence or Certificate.

I.....of.....

do solemnly and sincerely declare that I have lost my.....

granted at.....on or about the.....day of.....19 ,

and I make this solemn declaration concientiously believing the same to be true.

Declared before me at.....this.....day of.....19...

.....

Magistrate
(Warden or Justice of the Peace.)

No. 2 A.

The Mining Ordinance, 1912.

APPLICATION FOR REGISTRATION.

To The Provincial (District) Commissioner for the Province (District) of.....
 Please register the claim or transfer mentioned in the following particulars :—

Name, nationality, and address of applicant.	Name and date of Prospecting Licence.	Nature of claim to be reg'is-tered.	Date when claim was pegged out.	Locality of Claim.

I hereby declare the above to be true in every particular.

Dated the.....day of.....19 .

.....
 Signature of Applicant

Received the above application this.....day of.....19 .

.....
 Signature of Provincial Commissioner or District Commissioner.

Note :—The Prospecting Licence together with any instrument to be registered must be forwarded or produced with this application.

No. 2 B.

The Mining Ordinance, 1912.

CERTIFICATE OF REGISTRATION.

Certified that I have registered.....
 as the owner of a..... Claim situate at.....in
 accordance with Application No.....registered in The Mining Register in this Office.

Dated the.....day of.....19 .

.....Province (District).

.....
 Provincial Commissioner or District Commissioner.

No. 3.

The Mining Ordinance, 1912.

REPORT OF DISCOVERY.

I (or we), the undersigned, hereby report to the Commissioner of Mines that I (or we) did, on the.....day of.....19 , discover payable (state description metal etc.) particulars whereof are as follows:—

- (a) The locality is (state the locality of discovery.)
(b) The discovery is on (state description of protection area claim or lease).
(c) The (description of metal, etc.) was found at.....feet from the surface and the deposit consists of (state nature of deposit).

And I (or we) certify the above report to be true in every particular to the best of my (or our) knowledge.

.....
Signature of Owner or Owners.

Received the above report this.....day of.....19 , at the hour of.....o'clock in the.....noon

.....
Commissioner of Mines

No. 4.

The Mining Ordinance, 1912.

CLAIMS SUSPENSION CERTIFICATE.

No.....

Certified that suspension of work on the.....Claim registered No.....at.....held by.....under prospecting licence No..... is allowed until the day of.....19 , subject to the following conditions:—

CONDITIONS.

(Here set out the conditions, if any.)

Dated this.....day of.....191 .

.....
Commissioner of Mines.

RENEWAL.

The above suspension certificate is renewed until the.....day of.....19 .

.....
Commissioner of Mines.

No. 5.

The Mining Ordinance, 1912.

FORM OF TRANSFER.

I.....of.....in consideration of.....paid to me by.....of.....do hereby transfer to him my claim registered No.....at (office of registration) situate at (locality of claim) subject to all and singular the terms and conditions under which the said claim has been held by me and I.....of.....do hereby accept the said subject to the terms and conditions aforesaid.

Dated.....this.....day of.....19 .

.....Transferor.
.....Transferee.

Witness.....

Address.....

No. 6.

The Mining Ordinance, 1912.

CERTIFICATE OF TRANSFER OF CLAIM.

This is to certify that I have this day registered a transfer from.....to..... of Claim No.....registered in this office and the said.....is now the registered owner thereof.

Dated at.....this.....day of.....19 .

..... Provincial Commissioner or District Commissioner.

Note :—This certificate must be produced when this interest is again transferred.

No. 7.

The Mining Ordinance, 1912.

TRANSFER OF SHARE IN CLAIM.

I.....of.....in consideration of..... paid to me by.....of.....do hereby transfer to him a..... share in.....claim registered No.....at (office of registration) situate at (locality of claim) subject to all and singular the terms and conditions under which the said claim or share therein has been held by me, and I.....of.....do hereby accept the said.....share subject to the terms and conditions aforesaid.

Dated at.....this.....day of.....19 .

.....Transferor.
.....Transferee.

Witness.....

Address.....

No. 8.

The Mining Ordinance, 1912.

CERTIFICATE OF TRANSFER OF SHARE IN CLAIM.

This is to certify that I have this day registered a transfer from... to... of... share in claim No... registered in this office and the said... is now the registered owner thereof.

Dated at... this... day of... 19 .

Provincial Commissioner or District Commissioner.

NOTE :—This certificate must be produced when this interest is again transferred.

No. 9.

The Mining Ordinance, 1912.

FORM OF LIEN TICKET.

I... of... do hereby grant to... of... a lien upon my claim (or share in the claim) being (description of claim or share) registered No... at... and situate at... as security for the payment on or before the... day of... 19 . of the sum of... being the amount due and owing by me to the said... ; and until the sum aforesaid shall have been paid in full I hereby engage and bind myself not to transfer or assign the said (description of claim, share or interest charged), or any portion thereof without the written consent of the said... and I the said (lienee) accept this lien as security for the payment within the time specified of the aforesaid sum of... and upon payment thereof to me I undertake to discharge this lien.

Dated this... day of... 19 .

Liemor.

Lienee.

Certificate of Registration.

The above lien is registered at... No... book...

Dated this... day of... 19 .

Registering Officer.

No. 10.

The Mining Ordinance, 1912.

APPLICATION FOR AMALGAMATION OF CLAIMS.

To The Commissioner of Mines.

We, the undersigned, being the owners of (set out number and class of claims) adjoining claims registered at.....and situate at....., hereby apply for permission to amalgamate the said claims.

Dated the.....day of.....19 .

Signature of Applicants.

Registered No. of Claims.

Reasons for which amalgamation is desired.

No. 11.

The Mining Ordinance, 1912.

CERTIFICATE OF AMALGAMATION.

No.....

Certified that I have this day amalgamated the.....

Claims No.....respectively registered at.....

and situate at.....

Dated the.....day of.....19.....

.....
Commissioner of Mines.

No. 12.

The Mining Ordinance, 1912.

SOLE PROSPECTING LICENCE.

I hereby grant to.....
of.....licence and authority to search and mine the lands
being (describe land sufficiently to identify it) containing (set out area of land) for gold, precious stones,
minerals, coal and oil subject to the provisions of the Ordinance and the Regulations thereunder for the
time being in force.

The licence does not apply to any private land or to land held under a claim or lease for mining
purposes.

This licence is to remain in force for twelve calendar months from the date hereof unless forfeited or
determined in the meantime.

Dated the.....day of.....19.....

Fee Rupees.....paid.

.....
Commissioner of Mines.

No. 13.

The Mining Ordinance, 1912.

FORM OF APPLICATION FOR LEASE.

To the Commissioner of Mines.

Sir,

I (or we) hereby apply for a.....lease under The Mining Ordinance, 1912, and the Regulations thereunder as per particulars set forth hereunder, and forward herewith the sum of Rs.....being the first year's rent in advance, and I (or we) agree to execute such lease on the basis herein stated, and as the Governor may approve.

I (or we) have the honour to be,

Sir,

Your obedient servant (s),

(Name and address in full).

Name in full of applicant or applicants and style under which it is intended that the business shall be conducted.	Full address of each applicant.	Extent of ground applied for.	Precise Locality.	The No. of the prospecting licence held by each applicant.	General Remarks.

No. 14.

The Mining Ordinance, 1912.

APPLICATION FOR AMALGAMATION OF LEASES

To the Commissioner of Mines,

We, the undersigned, being the holders of adjoining leases, which are situate at.....

.....
 hereby apply for permission to amalgamate such leases.

Dated the.....day of.....19

Signatures of Applicant.	Number of Lease.	Registration Reference.	Reasons for amalgamation if desired.
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No. 15.

The Mining Ordinance, 1912.

CERTIFICATE OF SUSPENSION OF LEASE BY COMMISSIONER OF MINES.

No.....

Certified that I have suspended the labour conditions contained in.....lease registered Vol.....folio.....until the.....day of.....19 .

The Lease shall (here insert terms imposed)

Dated this.....day of.....19 .

.....
Commissioner of Mines.

No. 16.

The Mining Ordinance, 1912.

PLAINT NOTE.

To the Commissioner of Mines.

A.B. of.....complains of E.F. of.....and says :—

- 1. That etc.
- 2. That etc.

(Set forth the subject matter of complaint in paragraphs).

The Complainant therefore prays (set forth relief sought) or such other or further relief as shall be just. The amount sought to be recovered so far as the demand is pecuniary is Rs.....

Dated the.....day of.....19.....

A. B.

No. 17.

The Mining Ordinance, 1912.

NOTICE OF SUIT.

Plaint No.....

To (insert the name of the defendants) of.....

You are hereby summoned to appear before me at.....on the..... day of.....19....., at.....o'clock in the.....noon precisely, to answer the complaint, a copy of which is sent herewith, of (insert name of Complainants). You may have a summons to compel the attendance of any witness, or for the production of any books or documents, by applying at my office.

Given under my hand,.....day of.....19.....

..... Commissioner of Mines.

No. 18.

The Mining Ordinance, 1912.

WITNESS SUMMONS.

IN THE COURT OF THE COMMISSIONER OF MINES.

Plaint Nobtween.....

.....Plaintiff.

.....Defendant.

To..... of

You are hereby required to attend before me at..... on..... the..... day of.....19..... at..... o'clock in thenoon, to give evidence on behalf of the.....And you are hereby required to produce to the Court (here state particular things required to be produced) and also all other books, papers, documents, plans or things in your custody, possession or power, relating to the subject matter of this case.

If you neglect to comply with this summons, you will be liable to a fine of Rs. 150, or, in default of payment, to imprisonment for one month.

Dated..... day of..... 19 .

..... Commissioner of Mines.

SCHEDULE "B"

The Mining Ordinance, 1912.

SCALE OF COURT FEES.

	Rs.	Cts.
For every plaint	1	00
For every notice to defendant	1	00
For every order of the Commissioner of Mines	2	00
For every witness summons	1	00
Hearing fee for every suit	3	00

GENERAL FEES.

	Rs.	Cts.
Prospecting licence	5	00
Renewal of prospecting licence	5	00
Registration of claims or protection area	2	00
Registration of amalgamation of claims	2	00
Certificate of amalgamation of claims	5	00
Registration of amalgamation of leases	2	00
Certificate of amalgamation of leases	7	50
Registration of suspension of claim	2	00
Certificate of suspension of claim	5	00
Registration of suspension of lease	2	00
Certificate of suspension of lease	15	00
Registration of transfer of claims or a share or shares in a claim	7	50
Transfer certificates (each)	3	00
Registration of sole prospecting licence	5	00
For permission to transfer a sole prospecting licence	5	00
Registration of lien on claims	2	00
Accepting declaration	1	00
Certificate of whatever nature	1	00
For preparation of a lease	30	00
For search in Mining Register	1	00
Copy of the Ordinance and Regulations	0	75

GOVERNMENT NOTICE No. 23] ORDER.

The East Africa Vaccination Ordinance, 1912.

APPLICATION TO THE TOWNSHIP OF LAMU.

In pursuance of the powers conferred upon me by Sub-section (1) of Section 3 of the above Ordinance. I hereby direct that from the 15th day of February, 1913, and until further order all adults and children in the Township of Lamu who have not been previously inoculated or vaccinated successfully or already had small-pox shall be vaccinated.

Nairobi,

Dated this 16th day of January, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 24]

LAND ACQUISITION ACT, 1894.

Declaration under Section 6.

It is hereby notified and declared that the Land hereinafter specified is required for the purposes of Railway and Harbour works, namely :—

All that piece or parcel of land situate at Makupa on the Island of Mombasa in the District of Mombasa containing approximately 44.21 acres, bounded as follows :—

ON THE NORTH by certain Crown Land generally known as Shimanzi.

ON THE SOUTH by Crown Land acquired for Railway purposes.

ON THE WEST by Crown Land acquired for Railway purposes.

ON THE EAST by the Uganda Railway.

A Plan showing the situation of the land required as aforesaid may be inspected during Office hours at the Office of the Provincial Commissioner at Mombasa.

Nairobi,

Dated this 22nd day of January, 1913.

C. C. BOWRING,

Chief Secretary.

GOVERNMENT NOTICE No. 25]

APPOINTMENT.

The Land Acquisition Act 1894.

I hereby appoint Arthur Walter Alfred Claude Tannahill to be the Collector under the Act for the purposes of the acquisition of the land situate at Makupa on the Island of Mombasa in respect of which a Declaration under Section 6 of the said Act is published above and I hereby direct the said Arthur Walter Alfred Claude Tannahill to take order for the acquisition of the said land.

Nairobi,

Dated this 22nd day of January, 1913.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 26]

LAND ACQUISITION ACT, 1894.

Declaration under Section 6.)

Whereas the Land hereinafter specified is required for the purpose of the Mombasa Water Supply :—

It is hereby declared that the Government do require for the public purpose aforesaid all that piece of land in the District of Mombasa in the Seyidie Province being of approximate area of 5.75 acres on the South West side of the Uganda Railway near Changamwe Station between telegraph posts 3/10 and 3/12 which land is more particularly delineated and described on a plan which may be seen at the Office of the Provincial Commissioner, Mombasa.

Nairobi,

Dated the 31st, day of January, 1913.

C. C. BOWRING,

Chief Secretary.

GOVERNMENT NOTICE No. 27]

APPOINTMENT.

The Land Acquisition Act, 1894.

I hereby appoint Arthur Walter Alfred Claude Tannahill to perform the functions of a Collector under the Land Acquisition Act 1894, in relation to the acquisition of certain lands near Changamwe in the Seyidie Province, the subject of a Declaration under the said Act published above and I direct the said Arthur Walter Alfred Claude Tannahill to take order for the acquisition of the said land.

Nairobi,

Dated this 31st day of January, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 28] NOTICES.

The Infectious Diseases Ordinance, 1903.

Whereas a case of Plague has occurred in the shop belonging to Sukh Singh in River Road, Nairobi, the said premises are hereby declared to be an infected area for the purposes of the Infectious Diseases Ordinance, 1903, and the Rules thereunder, and I hereby apply to the said infected area the Rules issued under the said Ordinance dated August 29th, 1912, excepting only Rule 4 thereof.

Nairobi,
Dated this 23rd day of January, 1913.

H. C. BELFIELD,
Governor.

GOVERNMENT NOTICE No. 29. NOTICE.

The Infectious Diseases Ordinance, 1903.

Whereas a case of Plague has occurred in the shop belonging to Hirjee Gourdhan in River Road, Nairobi, the said premises are hereby declared to be an infected area for the purposes of the Infectious Diseases Ordinance, 1903, and the Rules thereunder, and I hereby apply to the said infected area the Rules issued under the said Ordinance dated August 29th, 1912, excepting only Rule 4 thereof.

Nairobi,
Dated this 23rd day of January, 1913.

H. C. BELFIELD,
Governor.

GOVERNMENT NOTICE No. 30] NOTICE.

The Infectious Diseases Ordinance, 1903.

Whereas cases of plague have occurred in the Township of Kisumu I hereby declare the said Township to be an infected area for the purposes of The Infectious Diseases Ordinance, 1903, and the Rules thereunder, and I hereby apply to the said Infected Area the special rules applied to the Township of Kisumu by notice under the above Ordinance dated 16th January, 1905, and the Rules dated 8th August, 1911, and 29th August, 1912, under the said Ordinance respectively.

Nairobi,
Dated this 29th day of January, 1913.

C. C. BOWRING,
Deputy Governor.

GOVERNMENT NOTICE No. 31] NOTICE.

Appointments under "The Native Authority Ordinance, " 1912.

The following persons are hereby appointed Official Headmen for the areas named in the Schedule:—

Name.	Rank.	Area or Location.	District.	Province.	Remarks.
Mnubi s/o Amionyo	Minor Chief	South Maragoli	Kisumu	Nyanza	In place of Mfogo retired owing to ill-health.
Arap Sogor	Location Headman	Location No. 1.	Lumbwa	"	In place of Arap Korus deceased.
Arap Toimession	do	do	"	"	Additional Headman under the Laibon to live at Kiptere.

Nairobi,
Dated this 30th day of January, 1913.

C. C. BOWRING,
Deputy Governor.

GOVERNMENT NOTICE No. 32]

NOTICE.

Appointment under the Native Authority Ordinance, 1912.

Notice is hereby given that MUMIA s/o SHUNDU is appointed Official Headman of the North Kavirondo District, Nyanza Province. All Headmen and Councils of Elders in the North Kavirondo District are subordinate to him.

Nairobi,

Dated this 30th day of January, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 33]

NOTICE.

The Native Authority Ordinance (No. XXII of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Power of Disallowance will not be exercised with respect to the above Ordinance.

By Command of His Excellency

C. C. BOWRING,

Chief Secretary.

GENERAL NOTICE No. 50]

APPOINTMENT.

Under the Land Titles Ordinance, 1908.

In pursuance of the powers conferred upon me by Section 19 of the Land Titles Ordinance, 1908, I hereby appoint the District Commissioner, Malindi, to appear on behalf of the Crown in any proceedings in the Land Registration Court in which the title to land or any interest in land in the Malindi District is in issue.

27th January, 1913.

R. B. WRIGHT,

Land Officer

GENERAL NOTICE No. 51]

NOTICE.

Under the East Africa Marriage Ordinance, 1902, and the Births and Deaths Registration Ordinance, 1904.

The Officer for the time being holding the Office of Assistant Chief Secretary is hereby appointed Registrar General for the purposes of the East Africa Marriage Ordinance 1902, and Registrar General of Births and Deaths, in the place of the First Secretary to the administration.

GENERAL NOTICE No. 52]

NOTICE.

Under the Diseases of Animals Ordinance, 1906.

INSTRUCTIONS TO PERMIT ISSUERS, PUBLISHED FOR GENERAL INFORMATION.

1. No cattle can be moved without a permit.
2. Every permit shall be made out in quadruplicate; the original to be given to the applicant, the second sent at once to the Issuer of Permits nearest to the place to which the animal is to be moved, the third sent by first opportunity to the Chief Veterinary Officer, Nairobi, and the fourth retained for reference.
3. In the case of an outbreak of disease, Issuers of Permits shall cancel or alter permits accordingly.
4. "To and fro" permits shall not be issued for any cattle other than transport oxen. No "To and fro" permits shall be issued for a longer period than one month.
5. The Issuer of a permit shall state in writing on the Permit the number and description of the animals to be moved, the route by which the animals are to travel, the period for which the permit holds good, and the place to which the animals may be moved.

6. No more time than is actually necessary to complete the journey should be allowed and the route specified must be one which avoids passing through any known infected area. Provided the last paragraph shall not apply to immune animals passing through an infected area.

7. Permits should not be granted to move cattle over land (not being a public road, stock route, or right of way), sold or leased from the Crown except with the consent, in writing, of the owners or occupiers of such land.

8. Permits for moving stock into or out of a native reserve must only be issued with the sanction of the Administrative Officer in charge of such Reserve.

9. Each Issuer of Permits who is not a Government Official may issue permits for the movement of stock.

(a) Between farms in his neighbourhood.

(b) From farms in his neighbourhood to the Government station nearest the route by which the animals are to travel. Person in charge to report at the Office of the District Commissioner. Should the owner wish to move his stock to some place beyond such station he shall obtain another permit at such Government station.

(c) From farms in his neighbourhood to the nearest convenient railway station.

(d) "To and fro" permits available for one month for transport cattle from farms in his neighbourhood to the nearest convenient Railway Station or Township.

(e) Permits to move cattle by rail may only be issued by a Veterinary Officer, District Commissioner, or Stock Inspector.

For the definition of clean and infected areas and the rules governing cattle movement in general throughout the country, a notice will appear in the "Official Gazette" at intervals of about three months.

10. The notices under the above Ordinance published in the "Gazettes" of March 15th, 1912, April 15th, 1912 and September 1st, 1912, are hereby cancelled.

GENERAL NOTICE NO.]

NOTICE.

Under the Diseases of Animals Ordinance, 1906.

INSTRUCTIONS TO ISSUERS OF PERMITS, PUBLISHED FOR GENERAL INFORMATION.

East Coast Fever.

WITHIN THE BOUNDARIES OF CLEAN AREAS:—Movement under permit granted by any Issuer of Permits.

FROM A CLEAN AREA TO A CLEAN AREA THROUGH AN INFECTED AREA:—Movement by rail under permit granted by the Chief Veterinary Officer.

FROM A CLEAN AREA TO AN INFECTED AREA:—Movement under permit granted by Veterinary Officers, Stock Inspectors and District Commissioners. Cattle entering Nyanza Province or Meru District to be branded with a special brand before leaving the clean area.

WITHIN THE BOUNDARIES OF INFECTED AREAS:—Movement under permit granted by Veterinary Officers, Stock Inspectors and Issuers of Permits, provided no permit shall be issued to allow cattle from the Southern Masai Reserve to enter the Nyanza Province, except by the Chief Veterinary Officer.

FROM AN INFECTED AREA TO AN INFECTED AREA THROUGH A CLEAN AREA:—Movement under permit granted by Chief Veterinary Officer, provided all cattle can be taken direct by rail.

INTO CLEAN AREAS:—

(a) Movement under permit of cattle branded with number, broad arrow, and accompanied by certificate stating they have passed the immunising test.

(b) Movement of adult cattle from the endemic areas of Nyanza Province and Meru under permit granted by Veterinary Officers, Stock Inspectors, District Commissioners of Meru and the Nyanza Province. In the case of cattle from Meru, these cattle must be obtained in the Meru District and be branded with a distinctive brand by the District Commissioner before leaving.

All cattle from endemic areas entering clean areas shall be branded with a distinctive brand.

(c) Movement of healthy cattle from infected areas under permit granted by the Chief Veterinary Officer provided an Officer can be spared and land is available to put them through a temperature boma in the clean area. The owner to pay all expenses.

IMMUNE OXEN:—On leaving the testing bomas, immune cattle will have a distinguishing mark placed on them and the owner will be furnished with a certificate. This certificate shall accompany the animal referred to when travelling. Cattle which have passed the immunising test may be moved throughout the Protectorate on permit by any Issuer of Permits. The permit form used for these cattle must be a special one issued for the purpose, having the word "IMMUNE" printed in large letters diagonally across the face of the permit.

No cattle except such as have passed the immunising test may be used for transport between infected and clean areas.

Defined Boundaries.

MOVEMENT OF CATTLE INTO CLEAN AREAS FROM THE EAST:—From Ukambani and Kenya into Laikipia, and Rift Valley, Jubaland and East of the Tana River.

Cattle which have passed through the immunising test, or adult cattle which have been bred in the Meru District and have been branded by the District Commissioner, Meru, may cross a line bounded on the North and West by the boundary between Jubaland and Tanaland commencing at Ras Kiamboni (Dick's Head) thence in a North-westerly direction to the Lorian Swamp.

From the Lorian Swamp up to the Uaso Nyiro to the junction with the Engare Ndare, thence up the Engare Ndare to its source thence across Mount Kenya to the source of the Nairobi River, thence down the Nairobi River to the North-east corner of Farm No. 1246, thence along the North-east boundary of Farm No. 1246 to the Engare Rongai River, thence down that River to its junction with the Amboni River, thence up the Amboni River to its source on the Aberdare Mountain, thence across the Aberdare Mountains to the most Northerly corner of farm No. 1286, thence along the Eastern boundary of the Kinangop farms to the most Southerly corner of Farm No. 1312 thence by the Eastern boundary of Farm No. 1548 to the Uganda Railway, thence by the Uganda Railway to the Northern corner of farm No. 1708, thence by the Western boundaries of farms Nos. 1708 and 1709 to the Southerly corner of farm No. 1709.

MOVEMENT OF CATTLE INTO CLEAN AREAS FROM THE SOUTH:—From Southern Masai Reserve into the Rift Valley and Upper Molo and Londiani.

No cattle except cattle which have passed through the immunising test may cross a line bounded on the North by a line commencing at the most Southerly corner of farm No. 1709, thence in a Westerly direction to the most Southerly corner of farm No. 1380, thence by the general Westerly boundaries of farms Nos. 1380, 1381, 410, 1382 to the most Northerly corner of farm No. 1382, thence by a line in a North Westerly direction to the most Easterly corner of the Promised Land; thence following the boundary of the Southern Masai Reserve in a general Westerly direction to the most Westerly point of the Promised Land; thence by a line in a Westerly direction to the most Southerly corner of farm No. 548, thence by the general South Westerly boundaries of farms Nos. 548, 547, 549, 546, 550, 551, 553, to the South Westerly corner of farm No. 553.

MOVEMENT OF CATTLE INTO CLEAN AREAS FROM THE WEST:—From Nyanza Province into Uasin Gishu Plateau, Upper Molo, Londiani and the Rift Valley.

No cattle except cattle which have passed through the immunising test, or adult cattle from Nyanza Province which shall be branded with a distinctive brand, may cross a line bounded on the East by a line commencing at the South-westerly corner of Farm No. 553, thence by the Westerly boundaries of farms Nos. 553, 554, 556, 560, 561, 570 to the most North-westerly corner of farm No. 570, thence by a line in a North-westerly direction to mile 506.8 on the Uganda Railway; thence by the Uganda Railway to the most Westerly corner of farm No. 1185, thence to the North-westerly corner of farm No. 1185; thence by the Southerly boundary of a farm No. 585 to the South-easterly corner of farm No. 1121; thence by the Easterly boundary of farm No. 1121 to the North-easterly corner of same, thence along the Eastern boundary of farm No. 1121 to the North-easterly corner of same; thence along the Northern boundaries of farms Nos. 1121, 1439, 1440, 1443, 1448, 1449 and 1453 to the Southern corner of farm No. 1455, thence along the South-eastern boundaries of farms Nos. 1455, 1456 and 1183 to the Eastern corner of the latter, thence along the Northern boundaries of farms No. 1183, 1458 and 1458 (a), and along the North-eastern boundary of farm No. 1459 to the South-eastern corner of farm No. 1479, thence along the Eastern boundaries of farms Nos. 1479, 1480, 1482, 1483, 1485 and 1485 (a), thence along the Northern boundary of farm 1485 (a) to the summit of Doi Nyiro Lessos, thence in a North-westerly direction along the boundary of the Nandi Reserve to its most Northerly point where it joins the North-eastern boundary between the North Kavirondo District and the Trans-Nzoia group of farms, thence along this boundary to Mount Elgon.

MOVEMENT OF CATTLE INTO LIMORU AREA:—No cattle except cattle which have passed through the immunising test or adult cattle from Meru or the Nyanza Provinces or cattle from clean areas may enter that area of Limoru bounded on the North by the Kamiti River, from the North-east corner of farm No. 39 (a) (L126) along the Kamiti River towards its source as far

as farm No. 81 (a) (L240) then in a Northerly direction along the Eastern boundaries of farms Nos. 81 (a) (L240) and 80 (a) (L241), thence along the Northern boundary of farm No. 80 (a) (L241), thence along the Western boundaries of farms Nos. 80 (a) (L241) and 81 (a) (L240) to the Uganda Railway at mile 353. On the West by the Uganda Railway line from mile 353 to the North-westerly corner of farms Nos. 173 and 174, thence along its Westerly, Southerly and Easterly boundaries to the Railway line near mile 347, thence along the Railway line to the South-east corner of farm No. 3 (a) (L171) thence to the North-east corner of farm No. 39 (a) (L126).

MOVEMENT OF CATTLE WESTWARD FROM THE SOUTHERN MASAI RESERVE:—Into Nyanza Province from the Southern Masai Reserve.

No cattle except cattle which have passed through the immunising test may proceed westwards from the Southern Masai Reserve except on a permit issued by the Chief Veterinary Officer.

FROM AN INFECTED AREA TO AN INFECTED AREA THROUGH A CLEAN AREA:—Movement of cattle by permit granted by the Chief Veterinary Officer provided all cattle can be taken direct by rail.

EAST COAST FEVER INFECTED AREAS (WITHIN CLEAN AREAS) OUT OF WHICH NO CATTLE EXCEPT SUCH AS HAVE PASSED THE IMMUNIZING TEST OR KNOWN TO BE DRAWN FROM ENDEMIC AREAS MAY BE MOVED.

1. The area bounded by line commencing at the Southern corner of farm No. 502, thence following the Westerly boundary of farms Nos. 502 and 496 to the Enarosura River, thence down this river to its junction with the Eldama River, thence due East to the Molo River, thence up this river to the North-east corner of farm No. 662, thence along the Northerly, Westerly and South-westerly boundaries of this farm to the Molo River, thence up this river to its junction with the Elburgeon River, thence in a straight line to the point of commencement.

2. That part of Hindlip-Fawcus' Estate, Njoro, bounded on the North by the Njoro River; on the South and West by the dry Nullah stream and the boundary of the Estate between the Njoro River and the dry Nullah stream and on the East by that part of the Western Shore of lake Nakuru lying between the Njoro River and the dry Nullah stream.

3. Nakuru Township area.

Movement of Stock Generally.

CATTLE FROM UGANDA:—Cattle shall be accompanied by a certificate from a Veterinary Officer, Uganda, to the effect that they are drawn from an Endemic East Coast Fever area and that they have been actively immunized against Rinderpest before leaving Uganda. Such cattle shall have been branded with a distinctive brand prior to leaving Uganda.

CATTLE FROM NYANZA PROVINCE:—Adult cattle shall be inoculated against Rinderpest at a charge of Rs. 2/- per head for two inoculations. The first inoculation shall take place at Kisumu, Kibigori, Kericho, Fort Ternan or any other place which the Veterinary Officer, Lumbwa, may decide. The second inoculation shall take place 10--14 days later at Fort Ternan or at any other place the Veterinary Officer, Lumbwa, may decide, after which all cattle showing the first two permanent incisor teeth shall, after having been branded with a distinctive brand, be allowed to leave the Province provided they are moved within 14 days after inoculation.

Cattle of any age, provided they are inoculated against Rinderpest twice with an interval of 10--14 days between two inoculations at Kericho, Kibigori, Kisumu, Fort Ternan or any other place the Veterinary Officer, Lumbwa, may decide, can be moved direct into the Southern Masai Reserve through the Trans-Amala Country, provided they are moved within 14 days after the second inoculation.

MUMIAS DISTRICT:—Owing to disease no trading in cattle is permitted in the Mumias District.

NANDI DISTRICT:—Owing to the disease no trading in cattle is permitted in the Nandi Native Reserve. Cattle purchased at Kapsabit and Kapiet must proceed via Kibigori under the same conditions as other cattle from the Nyanza Province. Transport oxen which are immune to East Coast Fever may move from the Uasin Gishu to Kapsabit.

SUK AND TURKANA:—Trading in live stock is permitted in Suk and Turkana, but no cattle will be allowed to be removed from these districts.

LAIKIPIA:—No trading in cattle is permitted.

SOUTHERN MASAI RESERVE:—Trading in live stock is permitted for cash and trade goods only.

CATTLE FROM NORTHERN FRONTIER AND JUBALAND:—Cattle shall follow the Uaso Nyiro to its junction with the Narok, or shall cross the Uaso Nyiro into the Kenia Province at the junction of the Engare Ndare and the Uaso Nyiro Rivers, thence direct to near the junction of the Uaso Nyiro and the Uaso Nyarok Rivers, where they will be inspected and if considered necessary by the Veterinary Officer, they will be inoculated against Rinderpest at a charge of Rs. 2/- per head for two inoculations.

(Before arrival at the Uaso Nyiro, notice must be given to the District Commissioners, Nyeri and Rumuruti, giving the probable date of arrival at the junction of the Uaso Nyiro and the Uaso Nyarok Rivers).

They shall then proceed up the Uaso Nyarok to the observation camp near Rumuruti. If necessary, they shall be inoculated against Rinderpest before leaving the observation camp at Rumuruti. When released they will be under the same conditions as cattle in the East Coast Fever clean areas.

WITHIN THE BOUNDARIES OF INFECTED AREAS:—Movement under permit will be allowed in and between the Southern Masai Reserve, and the districts of Kyambu, Nairobi, Fort Hall, Embu, Meru, Kitui, Machakos, part of Nyeri district, the Province of Seyidie, and West of the Tana River.

MOVEMENT OF SHEEP AND GOATS:—Sheep and goats shall not be moved from district to district unless under authorized permit.

The authorized permits are numbered 1—12, indicative of each month. *i. e.*, January, 1 to December, 12.

Moving from the Northern Frontier District and Jubaland they shall enter the Naivasha Province via Rumuruti where they shall be dipped.

Moving from West to East of Nakuru shall be dipped at Nakuru.

Moving westwards through Naivasha shall be dipped at Naivasha

TRANSPORT CAMELS FROM JUBALAND AND THE NORTHERN FRONTIER DISTRICT:—Such as do not show evidence of "Surra" may proceed via Rumuruti as far as Gilgil. They shall not remain at Gilgil longer than 7 days.

HORSES FROM THE NORTHERN FRONTIER DISTRICT AND JUBALAND:—Shall enter via Rumuruti or Nyeri where they shall be inspected and tested with Mallein at one of those places.

Permit Issuers.

JUBALAND PROVINCE.

Veterinary Officer.
District Commissioner.
Assistant District Commissioner.
Europeans in charge of Police Posts.

TANALAND PROVINCE.

Veterinary Officer.
District Commissioner.
Assistant District Commissioners.
Stock Inspectors.
Europeans in charge of Police Posts.

SEYIDIE PROVINCE.

Veterinary Officer.
District Commissioner.
Assistant District Commissioners.
Europeans in charge of Police Posts.
Stock Inspectors.

UKAMBA PROVINCE.

Veterinary Officer.
Quarantine "
District Commissioners.
Assistant District Commissioners.
Stock Inspectors.
Europeans in charge of Police Posts.
Mr. J. T. Oulton, Magogoni. Chania Bridge P. O.
 " A. Milne, Mua Hill, P. O. Athi River.
 " F. C. Holmes, Limoru.
 " Colin Campbell, Limoru.
 " J. V. Stocker, Limoru.
 " W. Hall, Limoru.
 " R. W. Verstume Bunbury, Juja.
 " A. B. Duirs, Juja

KENIA PROVINCE.

Veterinary Officer.
District Commissioners.
Assistant District Commissioners.
Stock Inspectors.
Europeans in charge of Police Posts.
Mr. E. Vaughan Kenealy, West Kenia, Nyeri.
Mr. F. C. Allsopp, Sisal Ltd., Chania Bridge, P. O.

NAIVASHA PROVINCE.

Veterinary Officer.

District Commissioners.

Assistant District Commissioners.

Stock Inspectors.

Europeans in charge of Police Posts.

Chief Stock Inspector, Rumuruti.

Manager, Government Farm, Naivasha.

Mr. P. Guy, Escarpement, Naivasha.

,, F. S. Clarke, Longonot Ltd. Naivasha.

,, H. F. Attenborough, Saifo Soi, Naivasha.

,, T. D. Hopcroft, Naivasha.

,, M. Flemmer, Nakuru.

,, J. Mackay, Manager, Lord Delamere, Njoro.

,, J. Mundell, Hoey's Store, Sergoit.

Major Toulson, Farm No. 130, Uasin Gishu.

Captain Fey, Njabini, Naivasha.

Mr. J. K. Hill, Gilgil.

,, Allen Bates, Gilgil.

,, H. Keeling, Elmenteita.

,, F. Watkins, Abagony, Nakuru.

,, J. Hill Williams, Morendat, Molo.

,, J. Kemp, Farm No. 68, Uasin Gishu.

,, C. J. Theunissen, Eldoret, Uasin Gishu.

,, R. Fenwick, Farm No. 30, Uasin Gishu.

,, A. Armstrong, Kampi Moto, Rongai River Nakuru.

,, Stirling, Londiani.

NYANZA PROVINCE.

Veterinary Officer.

District Commissioners.

Assistant District Commissioners.

Stock Inspectors.

Europeans in charge of Police Posts.

Mr. J. Cushney, Lumbwa.

,, M. Duirs, Sotik.

Captain G. A. Ross, Kapiet.

PROCLAMATION No. 7]

PROCLAMATION.

Under the East Africa Townships Ordinance, 1903.*Re. NAKURU TOWNSHIP BOUNDARIES.*

In exercise of the powers conferred upon me by the East Africa Townships Ordinance, 1903, I hereby declare that the Township of Nakuru shall be comprised within the limits hereinafter set forth.

NAKURU:—Commencing on the shore of Nakuru Lake at the south westerly corner of farm No. 462; thence bounded on the east by farms Nos. 462 and 1158; thence on the north by farm No. 445 and the forest reserve No. 1501; thence on the west by farms Nos. 452, 455, 454, 453 to Nakuru Lake; thence on the south by Nakuru Lake to the point of commencement.

The Proclamation, dated 28th January, 1904, under the above Ordinance in so far as it relates to Nakuru Township, is hereby cancelled

Nairobi,

Dated this 3rd day of February, 1913.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 38] RULES.

Under the East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the above Ordinance.

Nairobi,

H. C. BELFIELD,

Dated this 25th day of January, 1913.

Governor.

1. These rules shall apply to the Township of Mombasa.
2. All proceedings for fines or penalties for the breach or non-observance of any rule issued under the East Africa Townships Ordinance, 1903, or of any Order issued under any such rule, or for the recovery of any rate, charge, fee or other monies due or payable under or by virtue of any rule as aforesaid, may be instituted and taken by or in the name of the Superintendent of Conservancy, and in any such proceedings the Superintendent of Conservancy may appear in person or by a person authorised by him in that behalf. Nothing in this rule contained shall be interpreted to prohibit any other Officer or person from instituting or taking any such proceedings as aforesaid.

GOVERNMENT NOTICE No. 39] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

H. C. BELFIELD,

Dated this 5th day of February, 1913.

Governor.

1. In these rules:—
The term "Lodging House" means a house or part of a house which is let in lodgings either by storeys, by flats, by rooms or by portions of rooms, or which is occupied by members of more than one family.
A house which is let in lodgings as aforesaid or which is occupied by members of more than one family shall be exempt from the provisions of these rules, if no tenant, sub-tenant or lodger shall pay either to the landlord or to any other tenant, sub-tenant or lodger for the accommodation let to him less than thirty rupees per month exclusive of board or seventy five rupees a month inclusive of board.
The term "Landlord" means the person by whom or on whose behalf a house or part of a house is let in lodgings or for the occupation of the members of more than one family, or who is entitled to receive the profits arising from such letting.
The term "Lodger" means a person to whom any storey, flat, room or rooms or portion of or share in any room or rooms have been let as a lodging, or for his use and occupation.
The term "Site of a House" means the ground covered by and included within the foundation of a building.
The term "Medical Officer of Health" shall include any person acting for or under the instructions of the Medical Officer of Health.
2. These rules shall apply to the Township of Mombasa.
3. After the 15th day of May, 1913, no house or part of a house shall be used as a lodging house unless such house or the part thereof is registered under these rules as a lodging house. The landlord of an unregistered lodging house shall be guilty of an offence against these rules, and on conviction shall be liable to penalties prescribed in rule 26 of these rules.
4. Every lodging house shall be re-registered before the 31st day of January in each year and application for such re-registration shall be made before the 15th day of January. Any lodging house which is not re-registered before the 31st day of January in any year shall be deemed to be an unregistered lodging house.
5. Application for the registration or re-registration of any house or part of a house shall be made by the landlord to the Superintendent of Conservancy but no house or part of a house shall be registered or re-registered as a lodging house unless the Medical Officer of Health shall certify that the house or part thereof for which registration is sought is fit for the purpose.
6. The applicant for the registration or re-registration of a lodging house shall furnish to the Superintendent of Conservancy a true statement signed by himself of such particulars as may be demanded of him by the said Superintendent.

7. The landlord of a lodging house shall, within a period of seven days after having been required to do so by a notice in writing, signed by the Medical Officer of Health, attend at the Health Office within office hours, and furnish and sign a true statement of the following particulars with respect to such house:—

- (a) The total number of rooms in house.
- (b) The total number of rooms or portions of rooms let in lodgings or occupied by members of more than one family.
- (c) The manner of use of each room.
- (d) The number, age, and sex of the occupants of each room or part of room used for sleeping.
- (e) The full name of the lessee of each room or part of room; and
- (f) The amount of rent or charge payable by each lessee.

8. A landlord or lodger shall not knowingly allow or suffer a greater number of persons than will admit of the provision of three hundred and fifty cubic feet of free air space and thirty square feet of floor space for each person to occupy, at any one time, a room or part of a room as a sleeping apartment.

9. The Medical Officer of Health may at all times between 6 a.m. and 9 p.m., enter any lodging house and any part thereof for the purposes of inspecting the same; and it shall be the duty of every landlord, lodger and person employed in a lodging house to allow the Medical Officer of Health free access to all parts of a lodging house and to afford him all necessary facilities for the inspection thereof.

10. The landlord shall provide proper closet, privy or latrine accommodation for the use of the lodgers. Every cesspit constructed in connection with such closet, privy or latrine accommodation shall be external to the site of a house, shall be ventilated, and shall be cleaned out by the landlord every three months. Every cesspit shall be so placed as to allow of its contents being removed without being carried through any room of any house. The landlord of a lodging house shall keep all closets, privies and latrines, belonging thereto in a cleanly condition unless where such conveniences are exclusively used by one lodger, in which case the said lodger will be responsible for their cleanliness.

11. The landlord of a lodging house shall keep all ashpits and receptacles for refuse in connection therewith close and in a cleanly condition and shall cause the contents of the same to be removed at frequent intervals or as often as prescribed by the Superintendent of Conservancy or by the Medical Officer of Health.

12. Every lodger in a lodging house shall cause the floor of every storey, flat, room or part of a room which has been let to him to be thoroughly swept once at least in every day, and to be thoroughly washed once at least in every week.

13. Every lodger in a lodging house shall cause every window, fixture or fitting of wood, stone, or metal and every painted surface in every storey, flat, room or part of a room which has been let to him, to be thoroughly cleansed from time to time, as often as may be requisite.

14. Every lodger in a lodging house shall cause all solid or liquid filth or refuse to be removed once at least in every day from every storey, flat, room or part of a room which has been let to him, and shall once at least in every day, cause every vessel, utensil, or other receptacle for such filth or refuse to be thoroughly cleansed.

15. In every case where a lodger in a lodging house is entitled to the exclusive use of any washroom, bathroom, kitchen, staircase, landing or passage in such lodging house, such lodger shall cause every part of such washroom, bathroom, kitchen, staircase, landing or passage to be thoroughly cleansed from time to time as often as may be requisite. In case where two or more lodgers have the common use of any washroom, bathroom, kitchen, staircase, landing or passage, the landlord shall do the necessary cleansing.

16. Suitable receptacles must be provided for the storage of food and drink intended for consumption by a lodger. Such shall be provided by the landlord when the said landlord supplies food, whether cooked or uncooked, to the lodger, otherwise they shall be provided by the lodger. All receptacles for the storage of food and drink intended for a lodger's consumption as well as all vessels used for the cooking or containing of the same shall be maintained in a constant state of cleanliness by the landlord if they are his property or by the lodger if they are the property of the lodger.

17. A lodger in a lodging house shall not cause or suffer any animal other than a cat to be kept in any storey, flat, room, or part of a room which has been let to such lodger, or elsewhere upon the premises.

18. Where a lodger has exclusive right to the use of any cistern for the storage of water it shall be his duty to keep the same covered, and cleansed from time to time, and the contained water free from all visible forms of life. Where the right to the use of any cistern for the storage of water is common to two or more lodgers it shall be the landlord's duty to keep the same covered, cleansed from time to time, and the contained water free from all visible forms of life.

19. The landlord of a lodging house shall keep all means of ventilation therein maintained at all times in good order.

20. The landlord of a lodging house shall cause in the month of January of each year and at any other time, if so required by the Medical Officer of Health, all the interior walls and ceilings of the lodging house to be limewashed, except painted surfaces, which must be washed with hot water and soap, or if the Medical Officer of Health shall so require, repainted.

21. The landlord of a lodging house shall cause all open spaces belonging to such lodging house to be properly drained and maintained in a constant state of good repair and cleanliness.

22. The landlord of a lodging house immediately after he shall have been informed, or shall have ascertained that any person in such house is ill of an infectious disease or of any illness which prevents such person from following his usual daily avocation, shall give written notice thereof to the Medical Officer of Health.

23. In cases where a lodger has grounds for believing that an occupant of any storey, flat, room or part of a room of a lodging house is ill of an infectious disease or of any illness which prevents such occupant from following his usual daily avocation, such lodger shall forthwith notify both the landlord of the lodging house and the Medical Officer of Health.

24. No room of a lodging house which has been occupied by a person suffering from an infectious disease, shall be occupied by any person, until the said room has been disinfected to the satisfaction of the Medical Officer of Health.

25. If any person shall find a dead rat in any lodging house, he shall forthwith report such finding to the landlord; and if any landlord shall find, or shall be informed of the finding of, a dead rat in his lodging house, he shall forthwith report such finding to the Medical Officer of Health.

26. Any person who shall be guilty of a breach or non-observance of any of these rules shall, on conviction, be liable to fine not exceeding two hundred rupees or to imprisonment of either description for a term which may extend to two months or to both such fine and imprisonment, and if after notice in writing shall have been given to any person by the Medical Officer of Health of the existence of a breach or non-observance of any of these rules, such person shall continue in such breach or non-observance he shall be liable to a fine not exceeding fifteen rupees in respect of each day on which the breach or non-observance shall continue after notice is given as aforesaid, such fine to be in addition to the penalties before prescribed.

27. If in any proceedings under these rules it shall be alleged that any house is a lodging house, or that the person proceeded against is a landlord, or lodger, the house shall be presumed to be a lodging house and the person proceeded against a landlord or lodger, as the case may be, unless the person proceeded against shall prove the contrary.

28. There shall be paid by the landlord on every registration and re-registration of a lodging house a fee of fifteen rupees.

GOVERNMENT NOTICE No. 40] RULE.

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

H. C. BELFIELD,

Dated this 8th day of February, 1913.

Governor.

Rule 107 of the Township Rules, 1904, shall be and hereby is amended by the addition thereto of the following words "Provided that a person may sell the heads and entrails of animals in such part of the premises set apart by the Municipal Committee of Nairobi as a Native Market in the township of Nairobi as shall be assigned for the purpose by the Town Clerk without registration."

GOVERNMENT NOTICE No. 41] RULE.

The East Africa Outlying Districts Ordinance, 1902.

Rule issued by His Excellency the Governor under the powers conferred by the above Ordinance.

Nairobi,

H. C. BELFIELD,

Dated this 4th day of February, 1913.

Governor.

No licence under the East Africa Outlying Districts Ordinance, 1902, shall be granted to any person to enter the Masai Reserve as defined in the Proclamation dated the 23rd day of July, 1912, except subject to the condition that the licensee shall not take or allow to be taken into the said Masai Reserve any cattle or sheep; and such condition shall be endorsed upon every licence granted in respect of the said Masai Reserve.

GOVERNMENT NOTICE No. 42]

RULE.

The East Africa Outlying Districts Ordinance, 1902.

Rule issued by His Excellency the Governor under the powers conferred by the above Ordinance.

Nairobi,

H. C. BELFIELD,

Governor.

Dated this 5th day of February, 1913.

1. The Rules published in the "Gazette" under the above Ordinance and dated 22nd April, 1911, are hereby cancelled, provided, however, nothing herein contained shall effect any licence issued under the said rule or any obligation or liability imposed by such licence or by virtue of the said rules.

GOVERNMENT NOTICE No. 43]

RULES.

Under Section 10 of the Courts Ordinance, 1907.

Rules issued by His Excellency the Governor under Section 10 of the Courts Ordinance, 1907.

Nairobi,

H. C. BELFIELD,

Governor.

Dated this 6th day of February, 1913.

1. These Rules may be cited as "The Native Tribunal Rules 1913.
2. The Native Tribunal Rules 1911 and the Rules dated June 6th, 1911 and December 17th, 1912 amending the same are hereby revoked. Provided that all proceedings begun under the said revoked Rules and pending at the coming into operation of these Rules shall be continued as if such proceedings had begun under these Rules.
3. (1) The powers defined by these Rules shall be exercised only by such Councils of Elders as are recognised by the Governor.
- (2) The recognition by the Governor of any Council of Elders for the purpose of these Rules, and the revocation of any such recognition shall be notified in the Gazette.
- (3) All Councils of Elders lawfully exercising jurisdiction under the Rules revoked by these Rules immediately before the coming into operation of these Rules may exercise the powers defined by these Rules until other provision be made.
4. The jurisdiction of a Council of Elders under these Rules shall be exercised only over the members of the Native community over which such Council has jurisdiction under Native law and custom, and in relation to matters or things done or arising within a Native Reserve.
5. (1) A Council of Elders shall have jurisdiction as aforesaid (a) in civil matters arising between members of the Community over which the Council exercises jurisdiction, to adjust claims not exceeding 1,000 rupees in value, (b) in petty criminal matters, when both the complainant and the accused are members of the Community over which the Council exercises jurisdiction, relating to offences against Native law and custom, to award punishments according to Native law and custom. Provided that no such punishment shall involve mutilation, torture or grievous hurt or shall be repugnant to humanity or morality, and provided that no compensation awarded or fine imposed shall exceed the value of 250 rupees.
- (2) Whenever under any Ordinance, whether past or future, jurisdiction is conferred upon a Council of Elders, such jurisdiction shall, subject to the provisions of such Ordinance, be exercised in the manner prescribed by these Rules and be subject to the provisions of these Rules.
6. A Council of Elders shall not exercise jurisdiction in any of the following matters or offences:—
 - (a) Any matter already dealt with in any Court of the Protectorate.
 - (b) Any of the following offences, or in any matter or claim arising out of such offences:—
 - (i) Offences against the State;
 - (ii) Murder;
 - (iii) Culpable homicide not amounting to murder;
 - (iv) Dacoity with murder;
 - (v) Kidnapping or abducting in order to subject a person to slavery;
 - (v) Buying or disposing of any person as a slave;
 - (vii) Habitually dealing in slaves; or
 - (viii) An attempt or abetment of any of the above offences.

7. (1) A Council of Elders shall have power to order imprisonment of either description for any offence for which it might have awarded compensation or other punishment. Provided that such imprisonment shall not exceed six months, and that it is undergone in a prison established by the Government.
- (2) In every case in which any person is imprisoned on the orders of a Council of Elders the warrant of commitment to prison shall be signed by the District Commissioner and shall set forth the nature of the offence for which imprisonment is inflicted and the fact that such imprisonment has been inflicted by a Council of Elders and approved by the District Commissioner and if the imprisonment is ordered for the non-payment of a fine, the amount of the fine unpaid.
8. A Council of Elders may transfer to the District Commissioner any case which, in the opinion of such Council, is one which should be dealt with by a Magistrate.
9. A Provincial Commissioner or District Commissioner may stop the hearing or further hearing of any criminal or civil case commenced or brought before any Council of Elders in his Province or District, and may enquire into, hear and determine the case or direct that the case shall be inquired into, heard and determined by any Court of competent jurisdiction.
10. Where an offender, being ordered by a Council of Elders to pay a fine, refuses or fails to do so, such offender may be punished by imprisonment of either description for a period not exceeding six months. Upon undergoing such imprisonment he shall be discharged from the fine.
11. Whenever by Native law or custom an appeal shall lie from the order or decision of a Council of Elders authorised to exercise jurisdiction under these Rules to a superior Council of Elders authorised as aforesaid, such last mentioned Council is hereby authorised to continue to exercise such appellate jurisdiction as is allowed by Native law or custom, but the order or decision of such Council shall be subject to the like appeal to a District Commissioner or revision by a Provincial Commissioner or District Commissioner as any original order or decision of the Council.
12. If any person is dissatisfied with the sentence, judgment or order passed by a Council of Elders, he may appeal at any time within thirty days from the same to the District Commissioner.
13. A Provincial Commissioner or a District Commissioner may revise any case either civil or criminal which has been decided by a Council of Elders whenever he may see just cause for so doing, and may
- (a) set aside the order or judgment and himself retry the case.
 - (b) set aside the order or judgment and order the case to be retried in his presence, or
 - (c) without retrying or ordering the retrial of the case, alter any order or sentence of imprisonment or fine or any order of compensation, but not so as to increase any punishment.
14. When a Provincial Commissioner or District Commissioner shall revise a case decided by a Council of Elders and shall himself retry the case, and when a District Commissioner shall hear any case on appeal from a Council of Elders, the Provincial or District Commissioner shall deal with such case and take evidence therein as if it were an original case taken by him under the Courts Ordinance, 1907.
15. In cases revised by a District Commissioner, but not retried by him, it shall be lawful for a Provincial Commissioner to suspend, reverse, or alter any order made by such District Commissioner in such case. A District Commissioner shall have the like powers in regard to any case revised but not retried by an Assistant District Commissioner, but shall report to the Provincial Commissioner whenever he shall exercise such power.
16. A Provincial Commissioner or District Commissioner revising any case under these rules shall record in a book or file to be kept for the purpose, the following matters:—
- (1) Description of plaint or charge.
 - (2) Statement of plaintiff or complainant and defendant or accused.
 - (3) Statement of the presiding Elder of the Council as to the decision given by the Council.
 - (4) Statement of the Elders of the Council as to the reason for their decision.
 - (5) The order of the revising officer.
17. (1) A fee shall be leviable by a Council of Elders in accordance with Native law or custom in respect of anything done under these Rules.
- (2) No fees shall be leviable by a Provincial Commissioner or District Commissioner in respect of anything done under these Rules. Provided that if any party to a civil case tried by a Council of Elders shall appeal against the judgment or order of the Council there shall be leviable in respect of such appeal the fee which would be leviable if the case were an original case under the Courts Ordinance, 1907.

- (3) Any fee levied by a Council of Elders in respect of anything done under these Rules shall be dealt with or utilised by the Council in accordance with Native law and custom.
18. (1) All fines imposed by a Council of Elders under these Rules shall be the property of the Government and, save as hereinafter provided, all such fines recovered shall form part of the revenues of the Protectorate. It shall be the duty of a Council of Elders to forthwith pay or cause to be paid to the District Commissioner for and on behalf of the Government any fine recovered by the Council under these Rules.
- (2) Whenever a District Commissioner shall be satisfied that any fine or part of a fine paid to him as aforesaid is, by Native Law or custom, payable to any Native or Natives subject to the jurisdiction of the Council, which has imposed the same, as compensation for any injury done or damage suffered by reason of the offence in respect of which the fine has been imposed, he may pay, out of the fine, to the Native or Natives entitled, the compensation payable under Native law and custom. Provided, however, that nothing herein contained shall be deemed to authorise any District Commissioner to pay a fine or any part of a fine imposed by a Council of Elders to any Chief, Sub-Chief, Headman or Council of Elders, as compensation for anything done to or suffered by a Chief, Sub-Chief, Headman or Council of Elders, except with the consent of the Provincial Commissioner first obtained.
19. In these Rules save where inconsistent with the context:—
 “Native law and custom” shall mean the law and custom of the community over which the Council of Elders is authorised to exercise jurisdiction.
 “A District Commissioner” includes an Assistant District Commissioner.

GOVERNMENT NOTICE No. 44]

RULES.

The Land Titles Ordinance, 1908.

Rules issued by His Excellency the Governor under the Land Titles Ordinance, 1908.

Nairobi,

Dated this 5th day of February, 1913.

H. C. BELFIELD,

Governor.

AS TO NOTICE OF THE SALE OR TRANSFER OF LAND AFTER JUDGMENT AND BEFORE THE ISSUE OF A CERTIFICATE, AND THE PROCEEDINGS AFTER SUCH NOTICE.

1. Whenever, in the interval between the date of a judgment given by the Recorder of Titles in favour of an applicant for a certificate of ownership and the issue of the certificate, the ownership of the land or of any portion of the land is transferred to any other person, the transferee may give notice of such transfer to the Recorder of Titles, together with such particulars as may be required to identify the land. The transferee on giving such notice shall pay to the Recorder of Titles a fee of two rupees.

2. Whenever notice shall have been given under and in accordance with the provisions of the preceding rule, the Recorder of Titles shall enquire into the matters of which notice has been given, and if satisfied as to the transfer, shall record a note of such transfer in the file of the case relating to such land, and shall issue certificates and do all acts or things necessary to give effect to such transfer as if the transferee had made a claim for a certificate of ownership under Section 15 of the Ordinance. Provided, however, that if by reason of such transfer it shall be necessary to demark or delineate any boundary, or to cause any boundary mark to be placed, or to make any survey or prepare any map or plan, which would not have been necessary had such transfer not been effected, the transferee shall pay to the Recorder of Titles the cost of the works or things aforesaid in addition to any other payment which the transferee may be required by the Ordinance or any rule thereunder to make, and until such cost shall have been paid, the transferee shall not be entitled to receive and shall not, without the consent of the Governor, be granted a certificate of ownership.

The Crown Land Ordinance, 1902.

Rules made by His Excellency the Governor under the Crown Lands Ordinance, 1902.

Nairobi,

H. C. BELFIELD,

Dated this 12th day of February, 1913.

Governor.

1. Licences in the form in the Schedule hereto may be issued in respect of Crown Lands available for leasing for agricultural purposes, and such licences may be executed by the Land Officer on behalf of the Governor.

2. No person shall be entitled to a lease of agricultural land until he shall have occupied such land under a licence granted under these rules and shall have complied with the terms and conditions imposed by such licence or by virtue of these rules. Provided, however, that nothing in this rule shall affect any agreement, lease or licence heretofore granted or agreed to be granted.

3. Every licence issued under these Rules shall reserve an annual rent at the rate of 10 cents per acre.

4. Every licence issued under these rules shall, in the case of licences sold by auction, be dated as of the first day of the month next following the month in which the licence shall have been sold, and, in the case of a licence which is not sold by auction, shall be dated the day on which the licence is executed by the Governor or Land Officer.

5. Every lease granted in pursuance of Clause 4 of a licence issued under these rules shall be granted for a term of 99 years to commence from the date of the licence. Such term shall, for the purposes of the rent to be reserved by the lease, be divided in three periods; the first period to expire on December 31st, 1947, the second period to expire on December 31st, 1980 and the third period to expire on the expiration of the lease.

6. The annual rent payable under a lease granted as aforesaid shall be payable in advance on the first day of January in each year and shall, for the first period, be the annual rent payable under the licence, for the second period be at the rate of 1 per cent on the value of the land in the year 1947, and for the third period at the rate of 2 per cent on the value of the land in the year 1980.

In the ascertainment of the value of land for the purposes of this rule, there shall not be taken into consideration in augmentation of such value, the value of improvements made or done on the land.

7. Every lease granted as aforesaid shall be granted on the terms and conditions prescribed by the law regulating the disposal of Crown lands in force at the date of the execution of the lease, and the lessee shall be subject to all the covenants, obligations, burdens and restrictions imposed by such law on a lessee of agricultural land.

8. Licences under these rules shall, unless the Governor shall otherwise order, be sold by auction.

9. When agricultural land shall have been surveyed and divided into farms the Land Officer may, with the sanction of the Governor, cause a notice to be published in the Gazette, specifying the place and date, which shall not be within three months of the date of the publication of such notice, at which occupation licences in respect of such farms will be offered for sale by auction.

Every such notice shall state:

- (1) The situation of each farm.
 - (2) The sum to be expended on improvements in respect of each farm.
 - (3) The upset price at which the licence in respect of each farm will be sold.
 - (4) The survey fee payable in respect of each farm.
 - (5) The place or places at which a map or plan showing the situation of the farm may be inspected.
10. (1) No person shall bid at any such auction except he shall have obtained from the Land Officer, and, if requested by the auctioneer, shall produce to the auctioneer, a certificate authorising him to bid at such auction, which certificate the Land Officer may, at his discretion, withhold in the case of any person, or may grant only in respect of any farm or farms mentioned in the certificate.
- (2) No person shall, without the sanction in writing of the Governor first obtained, bid at any such auction as the agent for or on behalf of any other person.
 - (3) No person shall, without the sanction in writing of the Land Officer, purchase at any one sale more than one licence.

- (4) Any bid made by any person in contravention of the provisions of this rule shall be ignored or refused, and if any person shall in contravention of this rule purchase more than one licence or if any licence shall be knocked down to a person who is not entitled to bid, the sale shall be null and void, and the purchaser shall forfeit any moneys which may have been paid by him in respect of such sale.

11. The highest bid for each licence together with the name of the purchaser shall be announced by the auctioneer, before proceeding to offer the next licence, and the purchaser shall thereupon pay to the auctioneer one-quarter of the purchase price. In default of such payment the licence may be offered for sale immediately, and any subsequent bid by the person who has made default may be ignored or refused.

12. The purchaser shall, on the first day of the month next following the month in which the sale has been held, or if such day is a Sunday or Public Holiday on the first day thereafter which is not either a Sunday or Public Holiday, pay to the Land Officer at the Land Office, Nairobi, the balance of the purchase money, the rent payable to the 31st December next following, the survey fee, and the fees payable for the preparation and registration of the licence.

If such payments are not made at the time aforesaid, the Land Officer may order that the deposit made by the purchaser shall be forfeited to the Government and that the purchaser shall have no further claim to the licence in respect of which the deposit shall have been made.

13. In these Rules "agricultural purpose" includes grazing and stock raising; and "agricultural land" includes grazing land.

14. The Rules under the Crown Lands Ordinance 1902 dated the 28th day of February, 1911, are hereby cancelled, provided, however, such cancellation shall not affect any licence granted under the said rules or any right, title, interest, obligation or duty granted, conferred or imposed by virtue of any such licence or of the said rules.

Schedule.

Occupation Licence.

Mr.....(hereinafter referred to as the licensee) is hereby authorised to occupy, subject to the conditions hereinafter contained and to the provisions of the Crown Lands Ordinance, 1902, and to the Rules for the time being in force under the said Ordinance, all that piece or parcel of land situate..... in the.....District in the.....Province of the East Africa Protectorate being Farm Nocomprising.....acres or thereabouts which said piece or parcel of land with the dimensions, abutments and boundaries thereof is delineated on the plan annexed hereto and thereon bordered by a red verge line, land more particularly on Revenue Survey plan No.....deposited in the Survey Department, Nairobi, for the term of three years from the date hereof paying therefor to the Land Officer for the time being during the said term the yearly rent of Rs.....and so in proportion for any less time than a year the first of such payments to be made on the.....day of.....1911 and the subsequent payments to be made on the 1st day of January in every year.

2. The licensee agrees to pay the rent in manner aforesaid and to improve and develop the resources of the said land in a prudent and business like manner.

3. The licensee shall commence to reside on the said land within 6 months of the date of this licence and shall thereafter reside on such land for a period of not less than 24 months during the currency of the licence.

The licensee shall, after the expiration of 6 months from the date of the licence, if so required by the Land Officer, produce proof, to the satisfaction of the Land Officer, that he had commenced to reside on the said land within 6 months of the date of the licence, and shall, on the expiration of the licence, produce proof, to the satisfaction of the Land Officer, that he has resided on the said land for a period of not less than 24 months during the currency of the licence.

Provided, however, that if the licensee shall satisfy the Land Officer that there is good reason for exempting the licensee from personal occupation of the land for the whole or any portion of the period of the licence and that he has engaged a person of European or American origin to manage his farm, plantation, or other undertaking on the land, the Land Officer may with the approval of the Governor, give his consent in writing that for the purposes of this licence, and for the period to be specified in such consent, residence by the Manager named in such consent shall be deemed and taken to be residence by the licensee within the meaning of this licence.

4. If at the expiration of the said term of 3 years the licensee shall have improved and developed the said land to the satisfaction of the Governor or such Official as he shall appoint and shall have complied with each and every condition of this licence then the licensee shall be entitled to a lease of the said land. For the purpose of this clause improvements to the extent of Rs.....* of the nature specified in the Schedule hereto will be deemed sufficient development to qualify for a lease.

5. Every lease granted in pursuance of the last preceding clause shall be for a term of 99 years to commence from the date of this licence subject nevertheless to the provisions of the Crown Lands Ordinance, 1902, and the Rules thereunder, or any Ordinance amending or replacing the same in force at the date of the execution of the lease, and to the Rules for the time being in force under any such Ordinance.

6. The licensee shall not assign transfer or otherwise part with his interest under this licence or any part thereof.

7. Sections 23 to 28 (both inclusive) of the Crown Lands Ordinance, 1902, shall apply to the said land as if the same were leased under the said Ordinance, and the licensee shall cease to occupy any portion of the said land which may be required for any of the purposes mentioned in the said Sections, and any such land required as aforesaid shall be excluded from the land leased in pursuance of this licence.

8. If the aforesaid rent or any part thereof is unpaid for 21 days after the same shall have become due whether legally demanded or not, or if the licensee shall commit any breach of any of the conditions herein contained or implied by virtue of the Crown Lands Ordinance, 1902, or any Rule thereunder, the Governor may eject the licensee from the land and his licence shall be forfeited.

9. If the licensee shall make default in improving and developing the land within the said term of three years and to the extent and in manner herein provided, or shall fail to occupy the land as aforesaid, then on the expiration of this licence the Governor shall resume possession of the land and all improvements and development effected thereon without making to the licensee any compensation or allowance in respect thereof.

Dated this.....day of.....19 .

Land Officer.

I.....hereby agree to the above conditions.

Licensee.

Schedule above referred to.

Farm buildings of all descriptions.
 Fencing
 Furrows
 Planting trees or live hedges
 Walls
 Wells
 Draining land, or reclamation of swamp
 Roads
 Bridges
 Clearing of land for agricultural purposes
 Laying out and cultivating gardens and nurseries
 Water boring
 Water races
 Sheep or cattle dips
 Embankments or protective works of any kind.
 Planting of long lived crops.
 Water tanks
 Fixed Machinery
 Irrigation Works

*Insert sum equal to twenty times the annual rent.

GOVERNMENT NOTICE No. 46] COMMISSION.

The Commissions of Inquiry Ordinance, 1912.

In exercise of the powers conferred upon me by the Commissions of Inquiry Ordinance, 1912, I do hereby appoint the following persons to be Commissioners to make a full, faithful and impartial inquiry into and report upon the matters hereinafter set forth and I hereby appoint Henry Blake Taylor to be Chairman of the said Commission:—

Commissioners.

Henry Blake Taylor, (*Chairman.*)
 Philip Hedgeland Ross.
 Arthur Walter Alfred Claude Tannahill.
 Victor Marra Newland.
 Thomas Alfred Wood.
 Bertram Gray Allen.
 John James Toogood.

Subject of Inquiry.

1. To enquire into and report upon:
 - (a) The Sanitation and Drainage of the Township of Nairobi and the residential area adjoining the same.
 - (b) The localisation and housing of Asiatics and Africans and business centres for the same as affecting Nairobi.
 - (c) The Nairobi Water Supply.
 - (d) Sanitary and Municipal Services of Nairobi.
2. To submit recommendations with a comprehensive scheme for carrying out the same and an estimate of the cost thereof.

Given under my hand and official seal this 14th day of February, 1913.

Nairobi,

C. C. BOWRING,
Deputy Governor.

GOVERNMENT NOTICE No. 47] APPOINTMENT.

JAMES ARTHUR WATSON.—To be Secretary of the Nairobi Sanitary Commission.

Nairobi,
 February 14th, 1913.

C. C. BOWRING,
Deputy Governor.

GENERAL NOTICE No. 85] NOTICE.

Nairobi Sanitary Commission.

Evidence on the subjects embraced by the terms of reference to the Commission is invited from the public.

Any person desiring to give evidence is requested to communicate at once with the Secretary to the Commission, Mr. J. A. Watson, Town Hall, who will endeavour to arrange dates to suit the convenience of witnesses.

The Native Passes Regulations, 1900.

Rules issued by His Excellency the Governor under the powers conferred by the above Regulations.

Nairobi,

C. C. BOWRING,

Dated this 13th day of February, 1913.

Deputy Governor.

Rules to Control the Movement of Nandi.

1. No Nandi shall proceed out of the Reserve set aside for the occupation of the members of the Nandi tribe unless he shall first have obtained a pass under these rules from a District Commissioner or Assistant District Commissioner.

2. A pass under these rules shall be granted free of charge and shall be in the form in the Schedule hereto, and shall have effect only for the time specified in the pass.

3. A District Commissioner or Assistant District Commissioner may refuse to grant a pass to any Nandi without assigning any reason for such refusal, or may issue a pass restricting the movement of the person named therein to any place or by any route specified in the pass.

4. Any Nandi being outside the Nandi Reserve shall on demand being made by any Magistrate, Justice of the Peace or Police Officer, or in the case of any Nandi found on land occupied by a Non-Native, by the occupier of the land, produce his pass.

5. Any Nandi (other than a Nandi who shall have left the Nandi Reserve before the date of the coming into operation of these rules and who shall not have returned to the said Reserve after the said date) who shall fail to produce his pass on demand being made as before provided, or who shall be found outside the Reserve without a pass, or, in the case of a Nandi to whom a pass shall have been issued restricting his movements, who shall be found at any place to which he is not authorised by his pass to move, may be arrested without a warrant by any Magistrate, Justice of the Peace or Police Officer, or by any Non-Native on whose land he may be found, and shall on conviction, be liable to a fine not exceeding 150 Rupees or to imprisonment of either description which may extend to 2 months. Every Nandi arrested as before provided shall be taken without undue delay before a Magistrate having competent jurisdiction.

Schedule.

East Africa Protectorate.

NANDI RESERVE PASS.

Station.....

Traveller's name and residence.....

.....

Destination.....

Date of Issue.....

Date of expiry.....

Any special restrictions.....

.....

.....

District Commissioner.

The Infectious Diseases Ordinance, 1903.

Whereas a case of Plague has occurred in the cattle boma belonging to Mohamed Din near the Municipal Slaughter House, Nairobi, the said premises are hereby declared to be an infected area for the purposes of the Infectious Diseases Ordinance, 1903, and the Rules thereunder, and I hereby apply to the said infected area the Rules issued under the said Ordinance dated August 29th, 1912, excepting only Rule 4 thereof.

Nairobi,

H. C. BELFIELD,

Dated this 4th day of February, 1913.

Governor.

GOVERNMENT NOTICE No. 50]

NOTICE.

The Infectious Diseases Ordinance, 1903.

Whereas a case of Plague has occurred at the British East Africa Saw Mills next door to the Public Works Department Yard, Nairobi, the said premises are declared to be an infected area for the purposes of the Infectious Diseases Ordinance, 1903, and the Rules thereunder, and I hereby apply to the said infected area the Rules issued under the said Ordinance dated August 29th, 1912, excepting only Rule 4 thereof.

Nairobi,

Dated this 7th day of February, 1913.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 51]

NOTICE.

The Infectious Diseases Ordinance, 1903.

Whereas a case of Plague has occurred at Rukanath Mangi's Shop No. 198 Market Street Indian Bazaar, the said premises are declared to be an infected area for the purposes of the Infectious Diseases Ordinance, 1903 and the Rules thereunder, and I hereby apply to the said infected area the Rules issued under the said Ordinance dated August 29th, 1912, excepting only Rule 4 thereof.

Nairobi,

Dated this 11th day of February, 1913.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 53]

NOTICES.

The Quarantine Ordinance (No. XXVII of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

The Way-Leaves Ordinance (No. XXIX of 1912).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Powers of Disallowance will not be exercised with respect to the above Ordinance.

By Command of His Excellency,

C. C. BOWRING,

Chief Secretary.

PROCLAMATION No. 8]

PROCLAMATION.

The Forest Ordinance, 1911.

In pursuance of the powers conferred upon me by Section 3 of the Forest Ordinance, 1911, I hereby declare the area hereinafter defined to be a Forest Area for the purposes of the aforementioned Ordinance.

Nairobi,

Dated this 15th day of February, 1913.

C. C. BOWRING,

*Deputy Governor.***Boundary of the Aberdare Forest Reserve lying between the two Chania Rivers.**

Commencing at a point on the Southerly Chania River (beacon 172) thence bounded by beacons in a general North-easterly direction through beacons 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, thence by a line Westerly to the Chania River (North).

Thence by a line in a Westerly direction to the most Easterly corner of the East Africa Syndicate's property (L. O. 425) near Kipipiri Mountain, thence by the Easterly boundary of the said L. O. 425 in a Southerly direction to the North-westerly corner of L. O. 1284, thence by the Northerly boundaries of L. O. 1284 and 1286 to the Northerly corner of L. O. 1286, thence by the general Easterly boundaries of L. O. 1286, 1289, 1291, 1094, 305, 1096, 1095, to the Chania (Southerly) River, thence by that river down stream to the point of commencement.

PROCLAMATION No. 9]

PROCLAMATION.

The Forest Ordinance, 1911.

In pursuance of the powers conferred upon me by Section 3 of the Forest Ordinance, 1911 I hereby declare the areas hereinafter defined to be a Forest Area for the purpose of aforementioned Ordinance.

Nairobi,

Dated this 21st day of February, 1913.

C. C. BOWRING,

*Deputy Governor.***Description of boundaries of L. O. No. 532 (I), near Molo.**

Commencing at the most Southerly corner of sub-division No. II of Farm No. 532. thence bounded on the South-east by Farm No. 531 bearing 232° 16'45" for 6607.9 feet, and Sub-division No. III of Farm No. 532 bearing 275° 48'24" for 1677.3 feet, 312° 57'10" for 625.5 feet, 227° 15'33" for 3524.6 feet, 235° 42'22" for 1857.9 feet, 243° 23'38" for 2428.2 feet:
thence on the West and South-west by Sub-division No. III of Farm No. 532 bearing 16° 46'21" for 5652.7 feet, 44° 50'59" for 2137.8 feet, 67° 40'23" for 2053.2 feet, 23° 02'03" for 3301.2 feet, 357° 49'58" for 1272 feet, 254° 23'43" for 3262.5 feet, 272° 30'00" for 2185.9 feet, and Farm No. 537 bearing 7° 49'49" for 7879.9 feet:
thence on the North by Farm No. 537 bearing 70° 32'49" for 5470.4 feet, 84° 52'58" for 2082.7 feet, and 107° 09'11" for 1742.8 feet:
thence on the North-east by Sub-division No. II of Farm No. 532 bearing 152° 27'26" for 730 feet, 202° 18'22" for 2534 feet, 102° 52'59" for 2221.1 feet, 124° 33'42" for 909.8 feet, and 162° 57'18" for 3785.8 feet to the point of commencement.

PROCLAMATION No. 10]

PROCLAMATION.

The East Africa Outlying Districts Ordinance, 1902.

In exercise of the powers conferred upon me under the East Africa Outlying Districts Ordinance 1902, I hereby declare the Cart Road leading from Machakos—Kapiti Plains Road via Kimutwa River to Meu River situated in the Ulu District in the Province of Ukamba to be excluded from the provisions of the above noted Ordinance.

Nairobi,

Dated this 22nd day of February, 1913.

C. C. BOWRING,

Deputy Governor.

PROCLAMATION No. 11]

PROCLAMATION.

Under the Mohamedan Marriage and Divorce Registration Ordinance, 1906.

In exercise of the powers conferred upon me by Section 26 of "The Mohamedan Marriage and Divorce Registration Ordinance 1906" I do hereby direct that the said Ordinance shall apply to all Native Mohamedans in the District of Gosha of the Jubaland Province and shall commence and have effect in the said District as from the 1st day of March, 1913.

Nairobi,

Dated this 24th day of February, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 57]

RULE.

The Forest Ordinance, 1911.

Rule issued by His Excellency the Governor under the powers conferred upon him by the Forest Ordinance, 1911.

Nairobi,

Dated this 14th day of February, 1913.

C. C. BOWRING,

Deputy Governor.

1. Sub-rule (3) of Rule 6 of the General Rules under the above Ordinance and dated 12th May, 1912, is amended as follows by inserting the words "Administrative Officer or" before "Forest Officer."

GOVERNMENT NOTICE No. 58]

RULE.

The Forest Ordinance, 1911.

Rule issued by His Excellency the Governor under the powers conferred by the Forest Ordinance, 1911.

Nairobi,

Dated this 17th day of February, 1913.

C. C. BOWRING,

Deputy Governor.

The Forest Ordinance Timber Rules 1912, are hereby cancelled. Provided that such cancellation shall not affect any licence granted or agreed to be granted under the said rules, or the rights powers duties obligations or liabilities imposed by or acquired or exercisable under the said rules in respect of or under or in relation to such licence.

GOVERNMENT NOTICE No. 59]

RULES.

Issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 14th day of February, 1913.

C. C. BOWRING,

Deputy Governor.

1. The following rules shall be applied to the Townships of Embu and Meru.

(1) Of the Township Rules dated 19th May, 1904, made under the provisions of the East Africa Townships Ordinance, 1903, and published in the "Official Gazette" of 1st June, 1904, the following:—

PERMITS AND LICENCES:—Rules 3, 4, 5.

BUILDINGS:—Rules 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 38, 39, 49, 50, 51, 52.

STREETS AND ROADS:—Rules 53, 54, 55, 56, 57, 58.

SANITARY:—Rules 64, 65, 66, 67, 71.

DANGEROUS OR OFFENSIVE TRADES:—Rule 73.

STABLES, CATTLE SHEDS, ETC.:—Rules 74, 75, 76, 77, 78.

REMOVAL OF CARCASSES:—Rules 79, 80, 81.

FILTHY PREMISES:—Rules 82, 83.

LAUNDRIES:—Rules 84, 85, 86.

HOLES AND EXCAVATIONS:—Rules 88, 89.

SLAUGHTER HOUSES:—Rules 90, 91, 92, 93, 94, 95, 96.

BAKERIES:—Rules 97, 98, 99, 100, 101, 102.

DAIRIES:—Rule 103.

BUTCHERS:—Rules 107, 108, 109, 110, 111, 112.

PUBLIC MARKETS:—Rules 126, 127, 128, 129, 130, 131, 132, 133, 135, 141, 143, 144, 145, 146
147, 148, 149.

WASHING OF CLOTHES:—Rules 157, 158.

CEMETERIES:—Rules 159, 160, 163.

CAMPS:—Rules 165, 166, 171.

STREET NOISES:—Rule 177.

STRAY ANIMALS:—Rule 186.

(2) The Township Rules dated 27th November, 1906.

(3) The Township Rules dated 28th November, 1906.

(4) The Township Rules dated the 25th day of June, 1910.

2. The following fees shall be levied in the Townships of Embu and Meru:—

Slaughter House Fees.

	Rs.	Cts.
For each head of cattle slaughtered	1—00
For each sheep or goat slaughtered	0—25

Trades Registration Fees.

For registration of laundry man ... ..	...	1—00
For registration of butcher or meat seller ... ..	...	1—00
For registration of aerated water manufacturer ... ..	...	1—00

Market Fees.

For each load of produce brought into the market for sale, per diem	0—03
---	-----	------

Pound Fees.

For each horse, mule, ox, cow, camel or donkey, for the first day	...	1—00
For each succeeding day	... ..	0—50
For sheep, goats, pigs, and other animals not hereinbefore mentioned, for each such animal per day	... ..	0—12

Camping Ground Fees.

For each tent -/25 cents per diem, but not to exceed Re. 1/- per week.
 For porters' tent -/10 cents per diem, but not to exceed -/50 cents per week.

GOVERNMENT NOTICE No. 60]

RULES.**The Native Passes Regulations, 1900.**

Rules issued by His Excellency the Governor under the above Regulations.

Nairobi,

Dated this 13th day of February, 1913.

C. C. BOWRING,

Deputy Governor.

1. In these Rules :
 "Native" means a member of one of the Native tribes of the Protectorate.
 "District Officer" means a District Commissioner, an Assistant District Commissioner, and includes any person appointed by the Governor to perform the duties of a District Officer under these Rules.
2. No Native shall leave the Protectorate unless he shall have obtained a pass issued under these Rules. Provided, however, that nothing in these Rules shall apply to
 - (a) a Native employed on a vessel on Lake Victoria or on a vessel calling at the ports of the Protectorate or of the dominions of the Sultan of Zanzibar alone,
 - (b) a Native, employed as a domestic servant, accompanying his employer to Zanzibar or Uganda,
 - (c) a Native, engaged under a foreign contract of service duly executed approved and attested in accordance with the requirements of the Master and Servants Ordinance, 1910, or
 - (d) a Native residing in the neighbourhood of a boundary of the Protectorate who has obtained a written permit from a District Officer authorising such Native to cross such boundary during the currency of such permit, which permit a District Officer is hereby authorised to grant and to cancel at his discretion.
 - (e) a Native leaving the Protectorate on Government Service.
3. A pass under these Rules shall be granted free of charge and shall be in the form in the Schedule hereto.
4. A District Officer may refuse to grant a pass without assigning any reason for such refusal, or may issue a pass restricting the movement of the person named therein to any place or by any route or vessel specified in the pass.
5. Any Native to whom a pass has been issued under these Rules shall, on the demand of any Magistrate, Police Officer, Officer of Customs or Port Officer, produce his pass for the inspection of the Magistrate or Officer making demand.
6. Any Magistrate, Police Officer, Officer of Customs or Port Officer may prevent any Native from leaving the Protectorate unless such Native shall produce a pass authorising him to leave the Protectorate by the route or ship by which he is about to travel.
7. Any Native who shall leave the Protectorate without a pass, or who shall contravene any of the conditions prescribed in a pass issued to him, or who shall transfer a pass issued to him to any other Native, or who shall present or use as a pass issued to him a pass issued to another Native, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding 150 rupees or to imprisonment of either description not exceeding three months.
8. A pass issued under these Rules shall be available for one journey only and any Native who shall use or attempt to use such pass for more than one journey shall be guilty of an offence and on conviction shall be liable to the penalties prescribed in the last preceding rule.
9. The Native Passes Rules No. 1 of 1905 in so far as the same relate to the movement of Natives out of the Protectorate, and the Rules under the Native Passes Regulations 1900, dated August 9th, 1911 are hereby cancelled.

Schedule.

No.....

EAST AFRICA PROTECTORATE.

Pass issued under the Native Passes Regulations 1900 authorising a Native to Leave the Protectorate.

Province.....
 District.....
 Station.....
 Traveller's name.....
 „ tribe.....
 „ description.....
 Destination.....
 Purpose of journey.....
 The above named is permitted to leave the Protectorate by ⁽¹⁾.....
 for ⁽²⁾.....
 Date of Issue.....

.....
Signature of Officer issuing the Pass.

- (1) State whether by sea or land, and, if the traveller is required to travel by any particular route or ship, state the route or ship.
- (2) Fill in destination.

GOVERNMENT NOTICE No. 61] ORDER.

The Vaccination Ordinance, 1912.

APPLICATION TO NYERI DISTRICT.

In pursuance of the powers conferred upon me by Section 3 (1) of the above Ordinance, I hereby direct that from the 1st day of March, 1913, and until further order all adults and children in the Nyeri District who have not been previously inoculated or vaccinated successfully or already had small-pox shall be vaccinated.

Nairobi,
 Dated this 13th day of February, 1913.

C. C. BOWRING,
Deputy Governor.

GOVERNMENT NOTICE No. 62] NOTICE.

The Commissions of Inquiry Ordinance (No. XXVIII of 1912)

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Power of Disallowance will not be exercised with respect to the above Ordinance.

By Command of His Excellency,
 C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 66] NOTICE.

In exercise of the powers conferred upon me by Section 4 of the East Africa Marriage Ordinance, 1902, I, Charles Calvert Bowring, C.M.G., Deputy Governor of the East Africa Protectorate, do hereby revoke the appointment of John Clifton Shaw as Deputy Registrar of Marriages for the Eldoret District under the notice given under my hand dated the 4th December, 1912.

Given under my hand this 26th day of February, 1913.

C. C. BOWRING,
Deputy Governor.

GOVERNMENT NOTICE No. 69] NOTICE.

The Customs Ordinance, 1910.

In exercise of the powers conferred upon me by Section 15 of the Customs Ordinance, 1910, I hereby appoint the following place to be a Sufferance Wharf for the purposes of the above Ordinance:

PORT JONES.

Nairobi,

Dated this 18th day of February, 1913.

C. C. BOWRING,

Deputy Governor.

PROCLAMATION No. 12]

PROCLAMATION.

The East Africa Townships Ordinance, 1903.

In exercise of the powers conferred upon me by the East Africa Townships Ordinance, 1903, I hereby declare that so much of the area lying to the South of the present Government Farm at Naivasha described in the Schedule hereto as is included in the limits of Naivasha Township as defined by Proclamation dated 28th January, 1904, shall henceforth be excluded from the limits of the said Township as defined by the said Proclamation and the said Proclamation is amended accordingly.

Nairobi,

Dated this 1st day of March, 1913.

C. C. BOWRING,

*Deputy Governor.***Schedule**

Commencing at the north-west corner of farm No. L. O. 1300 (Forest Reserve) thence bounded on the east by that farm bearing $166^{\circ} 40' 30''$ for 7472.0 feet.

On the south by L. O. 1144 (Naivasha Township) bearing $77^{\circ} 32' 50''$ for 731.0 feet, $244^{\circ} 41' 00''$ for 5982.1 feet, $255^{\circ} 54' 00''$ for 2665.1 feet.

On the west by a road to the Karati River, by the Karati River to the most easterly corner of farm No. L. O. 428, by farm No. L. O. 428 bearing $336^{\circ} 2' 20''$ for 1901 feet, and $0^{\circ} 18' 00''$ for 2150.9 feet.

On the north by L. O. 424 (Old Government Farm) bearing $80^{\circ} 27' 40''$ for 3719.1 feet, and L. O. 425 bearing $181^{\circ} 19' 20''$ for 1174.5 feet, $102^{\circ} 5' 50''$ for 4231.8 feet to the point of commencement.

PROCLAMATION No. 13]

PROCLAMATION.

The Mohamedan Marriage and Divorce Ordinance, 1906.

In exercise of the powers conferred upon me by Section 26 of the Mohamedan Marriage and Divorce Ordinance, 1906, I hereby direct that the said Ordinance shall apply to all Native Mohamedans in the Dagoretti Sub-District and shall commence and have effect from the 20th day of March, 1913.

Nairobi,

Dated this 1st day of March, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 77]

RULE.

The Native Passes Regulations, 1900.

Rule issued by His Excellency the Governor under the above Regulations.

Nairobi,

Dated this 8th day of March, 1913.

H. C. BELFIELD,

Governor.

The Rules dated April 9th, 1900, under the Native Passes Regulations, 1900, are hereby cancelled.

GOVERNMENT NOTICE No. 78]

ORDER.

The Vaccination Ordinance, 1912.

APPLICATION TO EMBU AND MERU DISTRICT.

In pursuance of the powers conferred upon me by Section 3 (1) of the above Ordinance I hereby direct that from the 20th day of March, 1913, and until further order all adults and children in the Embu and Meru District who have not been previously inoculated or vaccinated successfully or already had small-pox shall be vaccinated.

Nairobi,

Dated this 10th day of March, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 94]

RULE.

The East Africa Townships Ordinance, 1903.

Rule issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 11th day of April, 1913.

H. C. BELFIELD,

Governor.

1. The item "Registration of Common Lodging House. Each.....Rs. 10" in Schedule II of the Rules dated 24th May, 1905 under the above Ordinance is hereby deleted.

GOVERNMENT NOTICE No. 96]

NOTICE.

Under the Native Authority Ordinance, 1912.

In pursuance of the powers conferred upon me by Section 7 of the Native Authority Ordinance, 1912, I hereby approve of any headman issuing orders under the aforesaid section for any of the purposes following:—

- (1) prohibiting the possession by any Native of any noxious drug;
- (2) requiring any Native to report to his headman without delay the arrival in or the passage through his location from without of any cattle in the possession of Natives; and
- (3) prohibiting any act or thing which may cause damage to any public road or to any work constructed or maintained for the benefit of the Community.

Nairobi,

Dated this 5th day of April, 1913.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 99]

NOTICE.

Mining Ordinance, 1913.

Notice is hereby given that the Mining Ordinance, 1912, will be promulgated and brought into force on the 1st of May, 1913.

Nairobi,

April 15th, 1913.

By Order

C. C. BOWRING,

Chief Secretary.

PROCLAMATION No. 14]

PROCLAMATION.

The Outlying Districts Ordinance, 1902.

In exercise of the powers conferred upon me by the Outlying Districts Ordinance, 1902, I hereby declare all the area described in the 1st Schedule attached hereto to be a closed district for the purposes of the above Ordinance; excepting and excluding therefrom all the area described in the 2nd Schedule attached hereto.

Nairobi,

Dated this 16th day of April, 1913.

H. C. BELFIELD,

Governor.

1st Schedule.

Commencing at Unsi on the Daua River (approx. Lat. 4° and Long. 41° 55' E) the boundary runs in a straight line S. Westerly to Dumasa, including in the area Unsi and the Dumasa Wells, thence in a straight line to the most easterly well of Eil Wak, known as Del Gado, thence in a straight line S. westerly to Sadi, thence in a straight line to Malka Wajer and thence in a straight line to Ras Kiamboni, thence along the limit of territorial waters northwards to the mouth of the Juba River, and along the thalweg of the Juba and Daua Rivers to the starting point at Unsi, excluding Mombasa Island and including Towata Island.

2nd Schedule.

All that area bounded:

On the west by the upper Kismayu Yonte Road and the Yonta Serenli Road, including the Townships of Kismayu, Gobwen and the station of Yonte.

On the north the junction of the Yonta Serenli Road at Mfudu on the Juba. O. 40 N.

On the east the Juba River.

On the south the Indian Ocean.

GOVERNMENT NOTICE No. 103] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 28th day of April, 1913.

C. C. BOWRING,

Deputy Governor.

1. These Rules shall apply to the Township of Eldoret.
 2. The District Commissioner may from time to time set aside any area of unalienated Crown land within the Township as a grazing ground for cattle, sheep, donkeys, mules and other animals.
 3. No animal shall be permitted to graze on any unalienated Crown land within the Township except on the land set aside as aforesaid as a grazing ground. The owner and the person in charge of any animal which shall be found grazing on any unalienated Crown land other than the appointed grazing ground shall be guilty of an offence.
 4. The District Commissioner may from time to time set aside a suitable place on unalienated Crown land as a watering place for animals within the Township.
 5. No animal shall be watered on any unalienated Crown land except at the watering place set aside as aforesaid. The owner or person in charge of any animal who shall permit the animal to water at any place on unalienated Crown land other than the watering place set aside as aforesaid, shall be guilty of an offence.
 6. It shall be the duty of the person in charge of any animal to cause the animal to be accompanied by a herd or other attendant when taken to the watering place set aside as aforesaid, and it shall be the duty of the herd or other attendant to cause the animal or animals to be moved from such watering place without delay after drinking.
- Any person who shall fail to comply with any of the requirements of this rule shall be guilty of an offence.
7. The District Commissioner may from time to time set aside any area of unalienated Crown land within the Township as a waggon camping ground.
 8. No waggon or cart shall be outspanned on any unalienated Crown land other than the waggon camping ground set aside as aforesaid.
 9. No waggon or cart shall be permitted to remain on the waggon camping ground for more than 48 hours, without the permission of the District Commissioner.
 10. The owner and the person in charge of any waggon or cart in respect of which there shall be committed a breach of any of the provisions of the last two preceding rules shall be guilty of an offence.
 11. No cart or waggon shall remain stationery on any road in the Township for longer than is reasonably required for the purposes of setting down or taking up persons or goods.

12. In the case of any waggon or cart drawn by oxen, the oxen shall be kept under yoke whilst the waggon or cart is standing on any road. The person in charge of any waggon or cart in respect of which a breach of any of the provisions of this rule is committed, shall be guilty of an offence.

13. Any person in charge of any waggon or cart on any road who shall refuse or neglect to move such waggon or cart when required to do so by any Magistrate or Police Officer, shall be guilty of an offence.

14. All whips which including stock and lash exceed 14 feet in length shall be kept looped while being carried within the Township. Any person who shall carry or use any such whip which is not looped as aforesaid, shall be guilty of an offence.

15. All offences against these rules committed by any person in charge of or attending any animal waggon or cart or carrying or using any whip shall be cognisable to the Police.

16. Any person who shall commit any offence against these rules, shall, on conviction, be liable to a fine, not exceeding 30 rupees or to imprisonment of either description for a term not exceeding one month.

GOVERNMENT NOTICE No. 104] NOTICE.

The Infectious Diseases Ordinance, 1903.

Notice is hereby given that the following Notices published in the "Gazette" under the above Ordinance are hereby cancelled.

Notice dated October 23rd, 1912.

Government Notice No. 14 dated 2nd January, 1913.

"	"	28	"	23rd	"	"
"	"	29	"	23rd	"	"
"	"	49	"	4th	February	"
"	"	50	"	7th	"	"
"	"	51	"	11th	"	"
"	"	63	"	19th	"	"
"	"	64	"	24th	"	"
"	"	65	"	26th	"	"
"	"	81	"	13th	March	"
"	"	82	"	10th	"	"

Nairobi,
April 15th, 1913.

H. C. BELFIELD,
Governor.

PROCLAMATION No. 15] PROCLAMATION.

Under the Land Titles Ordinance, 1908.

Whereas by Section 2 of the Land Titles Ordinance 1908 the Governor may by Proclamation apply the said Ordinance to any District area or place in the Protectorate and fix the day on which the said Ordinance shall commence and take effect in such District area or place.

Now, therefore, in exercise of the powers conferred upon me by the hereinbefore mentioned Section 2, I, Henry Conway Belfield, C.M.G., Governor of the East Africa Protectorate, do hereby apply the Land Titles Ordinance 1908 to that part of the Tana River District as is within the Dominions of the Sultan of Zanzibar and lies between the Northern boundary of the Seyidie Province and the Southern Bank of the Ozi River in the Province of Tanaland and I direct that the said Ordinance shall commence and take effect from the 15th day of May, 1913.

Nairobi,
Dated this 13th day of May, 1913.

H. C. BELFIELD,
Governor.

NOTICE.

Under the Land Titles Ordinance, 1908.

Whereas His Excellency the Governor in exercise of the powers conferred upon him by the said Ordinance has applied the Land Titles Ordinance 1908 to that part of the Tana River District as is within the Dominions of the Sultan of Zanzibar and lies between the Northern Boundary of the Seyidie Province and the South bank of the Ozi River in the Province of Tanaland and has directed that the said Ordinance shall commence and take effect from the fifteenth day of May one thousand nine hundred and thirteen—I hereby give notice to:—

1. All persons being or claiming to be proprietors of or having or claiming to have any interest whatever in immovable property situate in the aforesaid District to before the expiration of six clear months from the said fifteenth day of May, 1913, make their claim or claims in respect thereof to the Recorder of Titles, Mombasa.

2. Every such Claim shall be as regards a claim in respect of:—

(a) Estates in fee in land form A-1 of the first Schedule to the said Ordinance.

(b) All interests in immovable property other than estates in fee in land in form A-2 of the first Schedule to the said Ordinance.

Any person may for the purpose of such claim as aforesaid, obtain the said forms free of charge from the Office of any District Commissioner in the East Africa Protectorate or from the Office of the Recorder of Titles at Mombasa.

Mombasa,

Dated the 13th, day of May, 1913.

A. J. McCLEAN,

Recorder of Titles.

PROCLAMATION No. 16]

PROCLAMATION.

Under the East Africa Outlying Districts Ordinance, 1902.

In exercise of the powers conferred upon me by the East Africa Outlying Districts Ordinance 1902 I, Henry Conway Belfield, c.m.g., Governor of the East Africa Protectorate, do hereby declare the Kismayu-Gobwen-Yonti-Alexandra-Waregata Road is excluded from the Closed District made by Proclamation in the "Official Gazette" and dated 16th April, 1913.

Nairobi,

Dated this 14th day of May, 1913.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 115]

RULES.

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 12th day of May, 1913.

H. C. BELFIELD,

Governor.

1. No vehicle other than a vehicle belonging to the Government or to the Municipal Committee, shall, after the 1st day of June, 1913, be used within the Township except the vehicle be registered and licensed under these Rules.

The owner of any vehicle which shall after the date aforesaid be used within the Township and which shall not be registered or in respect of which there shall not be a licence in force for the then current year shall be guilty of an offence against this Rule.

2. Application for the registration and licensing of a vehicle shall be made by the owner thereof to the Town Clerk at the Municipal Office, and, if required by the Town Clerk, the vehicle shall be brought to the said office for inspection. The bringing of a vehicle to the said office for inspection shall not be deemed to be an using of the vehicle for the purposes of the preceding Rule.

3. Every licence under these Rules shall expire on the 31st day of December of the year for which it shall have been granted.

4. Whenever the ownership of a registered vehicle shall be transferred, application for the re-registration of the vehicle shall be made to the Town Clerk by the transferee within fourteen days of the date of such transfer. The fee set forth in the Schedule shall be paid by the transferee for every such re-registration.

Any person who shall fail to apply as aforesaid and to pay the prescribed fee shall be guilty of an offence against these Rules.

5. Every vehicle licensed under these Rules shall bear in a place to be prescribed in the licence a ticket which shall be supplied free of charge by the Town Clerk inscribed with a number corresponding to the number of the licence: and every owner of a vehicle used within the Township not bearing a ticket as aforesaid shall be guilty of an offence against these Rules.

6. The Town Clerk may refuse to licence any vehicle or may suspend or withdraw the licence of any vehicle if in his opinion such vehicle is or has become unfit for traffic provided that such refusal suspension or withdrawal shall be subject to confirmation on appeal by the Municipal Committee. The owner of any vehicle whose licence shall be so suspended or withdrawn shall forthwith deliver up to the Town Clerk on demand the ticket applicable thereto.

7. An owner of a vehicle whether drawn by animals or propelled by hand or by machinery shall not suffer the same to be in use within the Municipal Area otherwise than in charge of a proper and responsible person or persons.

8. The ticket provided under Rule 5 hereof for vehicle on hire for conveyance of passengers other than a vehicle mechanically propelled shall be inscribed with a number indicating the number of passengers which it shall be lawful for such vehicle to carry on any one journey. The owner and the person or persons in charge of any such vehicle in which a number of persons exceeding the number inscribed as aforesaid shall be carried shall each severally be guilty of an offence against this Rule.

9. Every vehicle other than a rickshaw or a vehicle specially exempted by the Town Clerk (in which case a note of the exemption shall be endorsed on the licence) shall be provided with a good and sufficient brake and every owner of such a vehicle other than a rickshaw or a vehicle specially exempted as aforesaid which shall be found in use not so provided shall be guilty of an offence against these Rules.

10. Oxen when drawing any vehicle shall not be driven from behind unless they are provided with nose ropes used for the purpose of driving. If nose ropes are not provided for the above purpose the oxen shall be led from the front. The person or persons in charge of any vehicle found driven otherwise than in accordance with the terms of this Rule shall be guilty of an offence against the same.

11. Vehicles drawn by four or more oxen shall be in charge of two persons, one of whom shall lead the oxen from the front of the leading ox or oxen. The owner and the person or persons in charge of any vehicle found driven otherwise than in accordance with the terms of this Rule shall each severally be guilty of an offence against the same.

12. The fees set forth in the Schedule attached hereto shall be paid to the Town Clerk for every licence issued under these Rules.

13. For the purposes of these Rules the words "person or persons in charge of any vehicle" shall extend to and include any person or persons propelling or drawing or assisting in propelling or drawing any vehicle, and the word "vehicle" shall not include a perambulator or any bicycle or tricycle other than a motor cycle but shall include any other conveyance for the carriage of persons or goods however drawn, propelled or kept or set in motion.

"Hackney carriage" means a vehicle on springs drawn by one or more horses mules or donkeys and ordinarily used or intended to be used for the conveyance of passengers and their luggage for hire.

"Private carriage" means a vehicle on springs drawn by one or more horses mules or donkeys and ordinarily used or intended to be used for the conveyance of persons only and not used for hire or for any trade purpose.

"Motor car" means any vehicle propelled by mechanical power other than a motor cycle tramway car or steam roller.

"Motor cycle" means any vehicle propelled by mechanical power and designed to travel on not more than three wheels.

14. Any person guilty of any offence under any of the above Rules shall for each offence (in addition to any liability for any damage at the suit of any person aggrieved) be liable to a fine not exceeding Rs. 40/- and in default of payment to imprisonment of either kind for a period not exceeding 25 days.

15. Offences against these Rules shall be cognisable by the Police.

16. Rule 4 and Rules 11 to 15 inclusive of Nairobi Township Rules (No. 3) of 1905 are hereby repealed.

17. These Rules shall apply to the Township of Nairobi and may be cited as "Nairobi Township Vehicle Rules 1913."

Schedule.**FEE PAYABLE FOR LICENCES.****Hackney Carriages.**

						Rs.	cts.
With 2 wheels	...	...	...	...	...	15	0
With 4 wheels	...	...	...	...	...	20	0

Private Carriages.

						Rs.	cts.
With 2 wheels	...	...	...	...	...	7	50
With 4 wheels	...	...	...	...	...	10	0

Carts Drawn by any Animal and not included in above.

						Rs.	cts.
On springs	...	Tyres 3" and over	...	...	...	7	50
Without springs	...	" 3" and over	...	...	...	15	0
On springs	...	" less than 3"	...	...	...	10	0
Without springs	...	" less than 3"	...	...	...	25	0

Hand Carts.

						Rs.	cts.
2 wheel	..	...	...	...	...	2	0
4 wheel	...	...	...	...	...	7	50

Motor Cars or Motor Lorries.

						Rs.	cts.
For passengers	...	8 h.p. or over	15	0
"	...	under 8 h.p.	7	50
For freight	30	0

Motor Cycles.

Motor cycles	7	50
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Rickshaws.

						Rs.	cts.
For hire	5	0
Private	2	0

Fee Payable on Re-registration on Transfer.

On re-registration of any vehicle under Rule 4	1	0
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If it be proved to the satisfaction of the Town Clerk that a vehicle is the property of a person having his residence or place of business at a distance of not less than 5 miles from the centre of Nairobi Township by the nearest public road and is habitually kept at such residence or place, the fee chargeable in respect of such vehicle shall be half the fee prescribed above.

GOVERNMENT NOTICE No. 116]

RULES.**The East Africa Outlying Districts Ordinance, 1902.**

Rules issued by His Excellency the Governor for the East Africa Protectorate under the East Africa Outlying Districts Ordinance, 1902.

Nairobi,

H. C. BELFIELD,

Dated this 14th day of May, 1913.

Governor.

1. These Rules shall apply to the Closed District mentioned in the Schedule hereto.
2. The Provincial Commissioner and the Officer Commanding the Troops for the time being in Jubaland may, subject to the East Africa Outlying Districts Ordinance 1902, grant licences to persons to enter the Closed District.
3. The Provincial Commissioner or Officer Commanding Troops for the time being may, whenever they may consider necessary, delegate their powers under the Ordinance to such Officer as either of them may appoint in writing.

Schedule.

All that area declared to be a Closed District by a Proclamation published in the "Gazette" and dated 16th April, 1913.

GOVERNMENT NOTICE No. 117] RULE.

The East Africa Townships Ordinance, 1903.

Rule issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,
Dated this 16th day of May, 1913.

H. C. BELFIELD,
Governor.

Townships of Embu and Meru.

1. The Rules under the above Ordinance dated 14th February, 1913, are hereby amended as follows:—

By deleting in Rule 2 the words and figures:

“For each load of produce brought into the market for sale, per diem ... 0-03.”

and substituting the words and figures:

“For every 25 cents worth of produce brought into the market for sale ... 0-01.”

GOVERNMENT NOTICE No. 123] NOTICE.

Notice is hereby given that the dues prescribed by The Ukamba Road Dues Regulations 1899 (No. 19 of 1899) have been cancelled by the order of His Excellency the Governor.

Nairobi,
May 13th, 1913.

W. J. MONSON,
for Chief Secretary.

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of April, 1913.

PRESENT,

The King's Most Excellent Majesty.

LORD PRESIDENT

LORD CHAMBERLAIN

VISCOUNT ALLENDALE

MR. J. A. PEASE.

His Majesty, by virtue and in exercise of the powers in this behalf vested in Him by the Colonial Prisoners' Removal Act, 1884, is pleased, by and with the advice of His Privy Council, to make the following Order as to the removal of prisoners and criminal lunatics to Ireland under the said Act:

The Colonial Prisoners' Removal Order in Council, 1907, shall, if the prisoner or criminal lunatic to be removed under the said Act is to be detained in Ireland, be amended as follows, that is to say:—

I. A Secretary of State shall transmit one copy of the Order of Removal and one copy of the Notification of Concurrence to the Lord Lieutenant of Ireland for record in Dublin Castle, instead of transmitting them to the Home Office.

II. For the forms numbered III., IV., IX., and X., in the Schedule to the Order of the 9th day of September, 1907, there shall be substituted the forms similarly numbered in the Schedule to this Order, or forms to the like effect varied as circumstances may require.

III. This Order shall commence and come into operation on the first day of May, 1913.

IV. Nothing lawfully done as regards Ireland under the Colonial Prisoners' Removal Order in Council, 1907, shall be prejudiced by this Order.

V. This Order may be cited as “The Colonial Prisoners' Removal Order in Council, 1913.”

ALMERIC FITZROY.

Schedule referred to in the foregoing Order in Council.

III.—WARRANT FOR REMOVAL OF A PRISONER TO IRELAND.

COLONIAL PRISONERS' REMOVAL ACT, 1884.

To *C. D.*, the Keeper of the Prison, and to *E. F.* and *G. H.*

Whereas an order has been made under the Colonial Prisoners' Removal Act, 1884, by one of His Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony (or Protectorate, or) of for the removal of *A. B.*, a prisoner now in custody of you, the said *C. D.*, under a sentence of penal servitude (or imprisonment or, as the case may be) for the term of years from the day of (or for life), to the United Kingdom there to undergo the residue of the said sentence.

Now I do hereby, in pursuance of the said Act, order you, the said *C. D.*, to deliver the body of the said *A. B.* into the custody of the said *E. F.* and *G. H.* or one of them; and I do hereby, in further pursuance of the said Act, authorize you the said *E. F.* and *G. H.*, or either of you, to receive the said *A. B.* into your custody, and to convey him to the United Kingdom, and to deliver him to such person or persons as shall be empowered by the Lord Lieutenant of Ireland to receive him for the purpose of giving effect to the said Order of Removal.

And for so doing this shall be your warrant.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State (or Governor of), this day of 19

IV.—WARRANT OF RECEPTION OF A PRISONER IN IRELAND.

COLONIAL PRISONERS' REMOVAL ACT, 1884.

BY THE LORD LIEUTENANT GENERAL AND GENERAL GOVERNOR OF IRELAND.

Whereas was on the day of 19 convicted in the Court of of the crijo ou and sentenced to

And whereas in pursuance of the provisions of the Colonial Prisoners' Removal Act, 1884, an Order has been made by one of His Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony (or Protectorate, or) of for the removal of the said to the United Kingdom, there to undergo the residue of his sentence; and whereas the Governor of the Colony (or Protectorate, or) of by a warrant under his hand ordered the said to be conveyed to the United Kingdom and delivered to such person or persons as shall be empowered by the Lord Lieutenant of Ireland to receive him for the purpose of giving effect to the said Order of Removal.

Now we, , Lord Lieutenant General and General Governor of Ireland, do hereby authorize and empower the Governor of His Majesty's Prison , and all persons acting under his orders, to receive and detain the said for the purpose of giving effect to the said Order of Removal; and we do further authorize and empower the Governor of any other of His Majesty's Prisons to which the said may be removed from Prison and all persons acting under his orders to receive and detain the said for the purpose of undergoing the residue of his sentence in such Prison.

Given at His Majesty's Castle of Dublin this day of 19

BY HIS EXCELLENCY'S COMMAND.

IX.—WARRANT FOR REMOVAL OF CRIMINAL LUNATIC TO IRELAND.

COLONIAL PRISONERS' REMOVAL ACT, 1884.

To *C. D.*, the keeper of Lunatic Asylum, and to *E. F.* and *G. H.*

Whereas an order has been made under the Colonial Prisoners' Removal Act, 1884, by one of His Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony (or Protectorate, or) of for the removal of *A. B.*, a criminal lunatic now in the custody of you, the said *C. D.*, to the United Kingdom, to be there dealt with in the same manner as if he had become a criminal lunatic in the United Kingdom.

Now I do hereby, in pursuance of the said Act, order you, the said *C. D.* to deliver the body of the said *A. B.* into the custody of the said *E. F.* and *G. H.* or one of them; and I do hereby, in further pursuance of the said Act, authorize you, the said *E. F.* and *G. H.* or either of you, to receive the said *A. B.* into your custody, and to convey him to the United Kingdom and to deliver him to such person or persons as shall be empowered by the Lord Lieutenant of Ireland to receive him for the purpose of giving effect to the said Order of Removal.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State (or the Governor of), this day of 19

X.—WARRANT OF RECEPTION OF A CRIMINAL LUNATIC IN IRELAND.

COLONIAL PRISONERS' REMOVAL ACT, 1884.

BY THE LORD LIEUTENANT GENERAL AND GENERAL GOVERNOR OF IRELAND.

Whereas _____ is in custody in _____ as a criminal lunatic, having been charged with the offence of _____ and found to be insane at the time of such offence (or to be unfit on the ground of insanity to be tried for such offence) (or having been convicted of the offence of _____ and sentenced to _____ and afterwards certified (or lawfully proved) to be insane):

And whereas in pursuance of the provisions of the Colonial Prisoners' Removal Act, 1884, an order has been made by one of His Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony (or Protectorate, or _____) of _____ for the removal of the said _____ to the United Kingdom, there to be detained as a criminal lunatic until he shall have ceased to be a criminal lunatic, or shall otherwise lawfully be discharged:

And whereas the Governor of the Colony (or Protectorate, or _____) of _____ by a Warrant under his hand, ordered the said _____ to be conveyed to the United Kingdom and delivered to such person or persons as shall be empowered by the Lord Lieutenant of Ireland to receive him for the purpose of giving effect to the said Order of Removal:

Now we, _____, Lord Lieutenant General and General Governor of Ireland, do hereby authorize and empower the Governor of the Central Asylum at Dundrum, and all persons acting under his orders, to receive and detain the said _____ in the same manner as if he had become a criminal lunatic in the United Kingdom, until His Majesty's Pleasure be further known concerning him.

Given at His Majesty's Castle of Dublin this _____ day of _____ 19 .

BY HIS EXCELLENCY'S COMMAND.

GOVERNMENT NOTICE No. 127] RULES.

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

H. C. BELFIELD,

Dated this 19th day of May, 1913.

Governor.

1. These Rules shall apply to the Township of Nairobi.
2. No building shall unless with the written permission of the Town Clerk be so erected or altered as to have a frontage upon any Sanitary Passage.
3. The Town Clerk shall have power in every case to determine whether a road, passage or thoroughfare, or any land reserved for a road, passage or thoroughfare, is a sanitary passage, and his decision thereon shall be final: provided that no road, passage or thoroughfare, or strip of land reserved for a road, passage or thoroughfare measuring 40 feet or more in width shall in any circumstances be deemed to be a sanitary passage.

GOVERNMENT NOTICE No. 128] RULES.

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

H. C. BELFIELD,

Dated this 29th day of May, 1913.

Governor.

The Nairobi Township Rules dated 19th February, 1912, are hereby amended by the addition thereto of the following Rules:—

10. No person shall except with the written permission of the Town Clerk bring or cause to be brought into the Cemetery or having brought or caused to be brought into the Cemetery suffer to remain there during the course of any interment any photographic camera or cinematograph apparatus or any machine or appliance of a like nature.

11. No person shall during the course of any interment in the Cemetery do any such act or thing in the Cemetery as might reasonably be expected to cause annoyance to any person attending such interment.

12. Any person who shall commit a breach of either of the two preceding Rules shall be liable on conviction to a fine not exceeding Rs. 200 and in default of payment thereof to imprisonment for a period not exceeding two months.

<i>MOORING BUOYS</i>	First day	Rs. 10
	Each succeeding day	6

(The Port Officer may remit these fees at his discretion in the case of Men-of-War of all nations and of sailing ships.)

CHARTS.

The fees to be approximately 10% in excess of the actual cost price.

Duplicate licence for Mombasa, harbour passenger boats	2
Transfer licence for dhows and harbour passenger boats	1
Endorsement of expired dhow licence	2
Provincial pass for dhows... ..	3
For each alteration to dhow crew or passenger list	1

PROCLAMATION No. 17]**PROCLAMATION.****Under the East Africa Outlying Districts Ordinance, 1902.**

In exercise of the powers conferred upon me under the East Africa Outlying Districts Ordinance, 1902, I, Charles Calvert Bowring, C.M.G., do hereby declare the trade centre and the trade road mentioned in the Schedule hereto attached and which are located in the Province of Kenya to be excluded from the provisions of the above noted Ordinance.

Nairobi,

Dated this 10th day of June, 1913.

C. C. BOWRING,

*Deputy Governor.***Schedule.****I. Trade Centre.**

Name.	Situation.	Area.
Muthara	Upper Tigania, on the main road about 17 miles from Meru Station.	Approximately 3 acres as defined by beacons erected by the District Commissioner.

II. Trade Road.

Name.	Divisions through which road passes.	Extent.
Upper Tigania main road	Chugu, Munyso, Oringu, Kianjahi, Kithee Azuana.	About 17 miles.

GOVERNMENT NOTICE No. 137]**RULES.**

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 10th day of June, 1913.

C. C. BOWRING,

Deputy Governor.

1. These Rules shall apply to the Township of Nairobi.

2. For the purposes of these Rules, "Petroleum" includes both ordinary kerosene and petrol, and generally any of the following liquids:—*i.e.*, (a) liquid petroleum; (b) oil or spirit obtained wholly or in part from any liquid petroleum or from any shale, schist, coal, peat, or bitumen, or from any similar substance; (c) any liquid mixture of any of the above named liquids with any other substance; but shall not include any heavy oil, that is to say, any liquid above described which (a) has a specific gravity as determined by the hydrometer at a temperature of 60 degrees Fahrenheit, exceeding one thousand; or (b) having a specific gravity as determined in the manner aforesaid of not less than eight hundred and forty, has a true flashing point of one hundred and fifty. "Petroleum Oil" (which includes ordinary kerosene) shall mean any such petroleum as above mentioned, which has a true flashing point of not less than one hundred degrees of Fahrenheit's thermometer. "Petroleum Spirit" (which includes ordinary petrol) shall mean any such petroleum which has a true flashing point of less than one hundred degrees of Fahrenheit's thermometer.

“True flashing point” of petroleum shall be the observed flashing point of that liquid corrected, if necessary, for atmospheric pressure. “Observed flashing point” shall be the number of the lowest degree of Fahrenheit’s thermometer at which a flash is obtained when the liquid is tested by means of any test apparatus in use at the Government Laboratory.

The Town Clerk may in his discretion and subject to such conditions as he may prescribe register any building specially built or adapted for the purpose for the storage of petroleum.

4. Any person desiring to have any premises registered for the storage of petroleum shall send to the Town Clerk a notice stating (1) his name, address and profession or trade

(2) the situation of the premises

(3) the quantity and description of the petroleum proposed to be kept.

(4) the proposed place and method of storage

(5) the purpose for which the petroleum is to be kept.

Together with a plan of the premises showing the proposed store or tank depôt, and its elevation and position with respect to adjacent buildings.

5. The registration of any premises under these Rules may on breach of any condition imposed under Rule 3 hereof or of any of the provisions of these Rules be cancelled by the Town Clerk: provided that it shall be competent for the party in whose name such premises are registered, within 3 days of notification of cancellation by the Town Clerk to appeal to the Chairman of the Municipal Committee, whose decision shall be final: and cancellation shall in that case not take effect until the decision of the Chairman shall have been notified to such party.

6. No premises will be registered for the keeping of petroleum unless and until they shall have been passed by an officer appointed by the Municipal Committee for the purpose as in accordance with the approved plans thereof: and approval of plans shall not be held as equivalent to registration.

7. Registration under these Rules shall only be available until the 31st day of December in the year of registration and shall be renewable annually.

8. No person shall keep petroleum on any unregistered premises except in the place or places provided by the Municipal Committee for the purpose unless the quantity of either, so kept, does not exceed:—

of Petroleum oil	40 gallons
of Petroleum spirit	10 gallons

or if both together are kept—

of Petroleum oil	10 gallons
of Petroleum spirit	10 gallons.

9. Where petroleum is kept on any unregistered premises the following provisions shall be observed that is to say:

All petroleum spirit shall be kept in substantial closed metal vessels.

A quantity of petroleum oil exceeding 4 gallons shall not be kept otherwise than in a substantial closed metal vessel.

No petroleum shall be stored under any staircase or in such a situation as in case of fire to prevent the escape of persons from the building.

10. Any person contravening any of the conditions under which any premises are registered for the keeping of petroleum, or any of the provisions of Rules 8 & 9 hereof shall be liable on conviction to a fine not exceeding Rs. 200 or to a period of imprisonment for a term not exceeding 2 months.

11. Rule 2 of Township Rules dated 27th January, 1910, is hereby repealed.

NOTICE.

Persons desiring to build private stores for kerosene or petrol should make application at the Municipal Offices where they will be given such detailed information as to the requirements of the Municipality as may enable them to prepare suitable plans.

GOVERNMENT NOTICE No. 137a] NOTICE.

His Excellency has approved of the following charges in connection with publications issued by the Government Printing Press.

Nairobi,

June 6th, 1913.

C. C. BOWRING,

*Chief Secretary.***SCHEDULE.**

<i>Official Gazette</i>	<i>Excluding postage.</i>		<i>Including postage.</i>	
	Rs.	cts.	Rs.	cts.
Subscription for 1 year ...	7	00	8	00
do for 6 months ...	3	50	4	00
do for 3 „ ...	2	00	2	25
Single copy ...	0	30	0	35

	Rs.	cts.
Price of one copy between 1 and 3 months old ...	0	50
do do 3 and 6 do ...	0	75
do do 6 and 1 year old ...	1	00
do do 1 year and 2 years old ...	1	50
do over 2 years old ...	2	00

	Rs.	cts.
Price of a bound Volume of "Official Gazette" p.a. ...	10	00
do do Blue Book p.a. ...	10	00
do do Ordinances & Regulations. ...	7	50
do Ordinances (per copy) ...	1	50
do Insertion in "Official Gazette" (full page) ...	16	00
do do do (half page) ...	8	00
do do do ($\frac{1}{4}$ page) ...	4	00
do Chronological Index (1876-1910) ...	5	00
do Binding "Official Gazette" p.a. ...	2	00
do Census Return ...	1	50

GOVERNMENT NOTICE No. 142] LOCAL RULES.

Issued under the Native Passes Regulations 1906.

The local rules, dated 27th April, 1906 and published in the "Official Gazette" of the 1st May, 1906, are hereby cancelled.

Nairobi,

Dated this 27th day of June, 1913.

C. C. BOWRING,

Chief Secretary.

PROCLAMATION No. 18]

PROCLAMATION.

WHEREAS in and by a certain Order of His Late Majesty King Edward VII in Council bearing date the 24th day of October, 1904, and intituled "The British Protectorates Neutrality Order in Council 1904" which said Order extends to the British East Africa Protectorate, it is amongst other things ordered and enacted that the said Order shall be proclaimed in every British Protectorate by the Governor thereof as soon as may be after he receives notice of the Order and shall come into operation in that British Protectorate on the day of such Proclamation. NOW THEREFORE in pursuance of the powers and duties on that behalf conferred and imposed upon me, I do hereby PROCLAIM in the British East Africa Protectorate the aforesaid Order of His Late Majesty King Edward VII in Council intituled "The British Neutrality Order in Council 1904."

Given at Nairobi, this 15th day of July, 1913.

C. C. BOWRING,

Deputy Governor.

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 153]

AT THE COURT AT BUCKINGHAM PALACE,

The 24th day of October, 1904.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT

MR. SECRETARY BRODRICK

LORD WINDSOR

MR. A. GRAHAM MURRAY.

WHEREAS it is expedient to make provision for the regulation of the conduct of the inhabitants of British Protectorates and other persons residing therein, during the existence of hostilities between foreign states with which His Majesty is at peace.

It is hereby ordered by the King's most Excellent Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, and by and with the advice of His Majesty's Privy Council, as follows:—

Preliminary.

1. This Order in Council may be cited for all purposes as "The British Protectorates Neutrality Order in Council, 1904." Short title of Order.

2. This Order shall extend to all the Protectorates of His Majesty, including the adjacent territorial waters, enumerated in the Schedule to this Order. Application of Order.

3. This Order shall be proclaimed in every British Protectorate by the Governor thereof as soon as may be after he receives notice of this Order, and shall come into operation in that British Protectorate on the day of such Proclamation, and the time at which this Order comes into operation in any place is, as respects such place, in this Order referred to as the commencement of this Order. Commencement of Order.

Illegal Enlistment.

4. If any person, without the licence of His Majesty, being a British subject or a native of a Protectorate, either within or without the Protectorate, accepts or agrees to accept any commission or engagement in the military or naval service of any foreign state at war with any foreign state at peace with His Majesty, and in this Order referred to as a friendly state, or whether a British subject or not within the Protectorate, induces any other person to accept or agree to accept any commission or engagement in the military or naval service of any such foreign state as aforesaid:— Penalty on enlistment in service of foreign state.

He shall be guilty of an offence against this Order and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

Penalty on leaving the Protectorate with intent to serve a foreign state.

5. If any person, without the licence of His Majesty, being a British subject or a native of a Protectorate, quits or goes on board any ship with a view of quitting a Protectorate, with intent to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state, or whether a British subject or not, within a Protectorate, induces any other person to quit or to go on board any ship with a view of quitting a Protectorate with the like intent:—

He shall be guilty of an offence against this Order, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

Penalty on embarking persons under false representations as to service.

6. If any person induces any other person to quit a Protectorate or to embark on any ship within a Protectorate under a misrepresentation or false representation of the service in which such is to be engaged, with the intent or in order that such person may accept or agree to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state:—

He shall be guilty of an offence against this Order, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

Penalty on taking illegally enlisted persons on board ship.

7. If the master or owner of any ship, without the licence of His Majesty, knowingly either takes on board, or engages to take on board, or has on board such ship within a Protectorate any of the following persons, in this Order referred to as illegally enlisted persons; that is to say:—

- (1) Any person who, being a British subject or a native of a Protectorate, within or without a Protectorate, has without the licence of His Majesty, accepted or agreed to accept any commission or engagement in the military or naval service of any foreign state at war with any friendly state;
- (2) Any person, being a British subject or a native of a Protectorate who, without the licence of His Majesty, is about to quit a Protectorate with intent to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state:
- (3) Any person who has been induced to embark under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent to accept any commission or engagement in the military or naval service of any foreign state at war with a friendly state:

Such master or owner shall be guilty of an offence against this Order, and the following consequences shall ensue; that is to say,

- (1) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour; and
- (2) Such ship shall be detained until the trial and conviction or acquittal of the master or owner, and until all penalties inflicted on the master or owner have been paid, or the master or owner has given security for the payment of such penalties to the satisfaction of a magistrate, and
- (3) All illegally enlisted persons shall immediately on the discovery of the offence be taken on shore, and shall not be allowed to return to the ship.

Illegal Shipbuilding and Illegal Expeditions.

8. If any person within a Protectorate, without the licence of His Majesty does any of the following acts: that is to say—

Penalty on illegal ship building and illegal expeditions.

- (1) Builds or agrees to build, or causes to be built any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state: or
- (2) Issues or delivers any commission for any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state: or
- (3) Equips any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state: or
- (4) Despatches, or causes or allows to be despatched, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign state at war with any friendly state:

Such person shall be deemed to have committed an offence against this Order, and the following consequences shall ensue:—

- (1) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour,
- (2) The ship in respect of which any such offence is committed, and her equipment shall be forfeited to His Majesty:

Provided that a person building, causing to be built, or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid shall not be liable to any of the penalties imposed by this article in respect of such building or equipping if he satisfies the conditions following: (that is to say)

- (1) If forthwith upon a Proclamation of Neutrality being issued by His Majesty he gives notice to the Governor that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of any matters relating to, or done, or to be done under the contract as may be required by the Governor:
- (2) If he gives such security and takes and permits to be taken such other measures, if any, as the Governor may prescribe for ensuring that such ship shall not be despatched, delivered or removed without the licence of His Majesty until the termination of such war as aforesaid.

9. Where any ship is built by order of or on behalf of any foreign state when at war with a friendly state, or is delivered to or to the order of such foreign state, or any person who to the knowledge of the person building is an agent of such foreign state, or is paid for by such foreign state or such agent, and is employed in the military or naval service of such foreign state, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship of proving that he did not know that the ship was intended to be so employed in the military or naval service of such foreign state.

Presumption as to evidence in case of illegal ship.

10. If any person within a Protectorate and without the licence of His Majesty—

Penalty on aiding the warlike equipment of foreign ships.

By adding to the number of the guns, or by changing those on board for other guns, or by the addition of any equipment for war, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or augmenting the warlike force of any ship which at the time of her being within the Protectorate was a ship in the military or naval service of any foreign state at war with any friendly state,—

Such person shall be guilty of an offence against this Order and shall be punishable by fine and imprisonment or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

11. If any person within the limits of a Protectorate, and without the licence of His Majesty—

Penalty on fitting out naval or military expeditions without licence.

Prepares or fits out any naval or military expedition to proceed against the dominions of any friendly state, the following consequences shall ensue :

- (1) Every person engaged in such preparation or fitting out, or assisting therein, or employed in any capacity in such expedition, shall be guilty of an offence against this Order and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded may be either with or without hard labour.
- (2) All ships, and their equipments, and all arms and munitions of war, used in or forming part of such expedition, shall be forfeited to His Majesty.

Punishment of accessories.

12. Any person who aids, abets, counsels or procures the commission of any offence against this Order shall be liable to be tried and punished as a principal offender.

Limitation of term of imprisonment.

13. The term of imprisonment to be awarded in respect of any offence against this Order shall not exceed two years.

Illegal prize.

Illegal prize brought into Protectorate ports restored.

14. If, during the continuance of any war in which His Majesty may be neutral any ship, goods or merchandise captured as prize of war within the territorial jurisdiction of His Majesty, in violation of the neutrality of His Majesty, or captured by any ship which may have been built, equipped, commissioned, or despatched, or the force of which may have been augmented, contrary to the provisions of the Foreign Enlistment Act, 1870, or of this Order, or any other Order of the like nature, are brought within the limits of a Protectorate by the captor, or any agent of the captor, or by any person having come into possession thereof with knowledge that the same was prize of war so captured as aforesaid, it shall be lawful for the original owner of such prize, or his agent, or for any person authorised in that behalf by the Government of the foreign state to which such owner belongs, to make application to the Court for seizure and detention of such prize, and the Court shall, on due proof of the facts, order such prize to be restored.

Every such order shall be executed and carried into effect in the same manner, and subject to the same right of appeal, as in case of any order made in the exercise of the ordinary jurisdiction of such Court; and in the meantime and until a final order has been made on such application the Court shall have power to make all such provisional and other orders as to the care or custody of such captured ship, goods, or merchandise, and (if the same be of perishable nature, or incurring risk of deterioration) for the sale thereof, and with respect to the deposit or investment of the proceeds of any such sale, as may be made by such Court in the exercise of its ordinary jurisdiction.

General Provisions.

Licence by His Majesty, how granted.

15. For the purposes of this Order a licence by His Majesty shall be under the Sign Manual of His Majesty, or be signified by Order in Council or by Proclamation of His Majesty.

Legal Procedure.

Jurisdiction in respect of offences by person against Order.

16. Any offence against this Order shall, for all purposes of and incidental to the trial and punishment of any person guilty of any such offence, be deemed to have been committed either in the place in which the offence was wholly or partly committed, or in any Protectorate in which the person who committed such offence may be.

Venue in respect of offences by persons.

17. Any offence against this Order may be described in any indictment or other document relating to such offence, in cases where the mode of trial require such a description, as having been committed at the place where it was wholly or partly committed, or it may be averred generally to have been committed within His Majesty's Dominions or to have been committed within a British Protectorate, and the venue or local description in the margin may be that of the district, town or place in which the trial is held.

Power to remove offenders for trial.

18. The Court having the highest criminal jurisdiction in any British Protectorate may by warrant or instrument in the nature of warrant in this article included in the term "warrant" direct that any offender charged with an offence against this Order shall be removed to some other place

either in His Majesty's Dominions or in some other British Protectorate for trial in cases where it appears to the authority granting the warrant that the removal of such offender would be conducive to the interests of justice, and any prisoner so removed shall be triable at the place to which he is removed, in the same manner as if his offence had been committed at such place.

Any warrant for the purposes of this section may be addressed to the master of any ship or to any other person or persons, and the person or persons to whom such warrant is addressed shall have power to convey the prisoner therein named to any place or places named in such warrant, and to deliver him, when arrived at such place or places, into the custody of any authority designated by such warrant.

Every prisoner shall, during the time of his removal under any such warrant as aforesaid, be deemed to be in the legal custody of the person or persons empowered to remove him.

19. All proceedings for the condemnation and forfeiture of a ship, or ship and equipment, or arms and munitions of war, in pursuance of this Order shall require the sanction of the Governor, and shall be had in the Court as defined by this Order, and not in any other Court; and the Court shall, in addition to any power given to the Court by this Order, have in respect of any ship or other matter brought before it in pursuance of this Order all powers which it has in the case of a ship or matter brought before it in the exercise of its ordinary jurisdiction.

Jurisdiction in respect of forfeiture of ships for offences against Order.

20. Where any offence against this Order has been committed by any person by reason whereof a ship, or ship and equipment, or arms and munitions of war, has or have become liable to forfeiture, proceedings may be instituted contemporaneously or not, as may be thought fit, against the offender and against the ship, or ship and equipment, or arms and munitions of war, for the forfeiture; but it shall not be necessary to take proceedings against the offender because proceedings are instituted for the forfeiture, or take proceedings for the forfeiture because proceedings are taken against the offender.

Regulations as to proceedings against the offender and against the ship.

21. The following officers, that is to say:—

- (1) Any officer of customs or other public officer drawing a salary of not less than £200 a year in the Protectorate, subject nevertheless to any special or general instructions from the Governor.
- (2) Any commissioned officer on full pay in the military service of the Crown, subject nevertheless to any special or general instructions from his commanding officer;
- (3) Any commissioned officer on full pay in the naval service of the Crown, subject nevertheless to any special or general instructions from the Admiralty or his superior officer, may seize or detain any ship liable to be seized or detained in pursuance of this Order and such officers are in this Order referred to as the "local authority"; but nothing in this Order contained shall derogate from the power of the Court to direct any ship to be seized or detained by any officer by whom such court may have power under its ordinary jurisdiction to direct a ship to be seized or detained.

Officers authorised to seize offending ships.

22. Any officer authorised to seize or detain any ship in respect of any offence against this Order may, for the purpose of enforcing such seizure or detention, call to his aid any constable or officers of police, or any officers of His Majesty's Army or Navy or Marines, or any excise officers or officers of customs, or any harbour master or dock master, or any officers having authority by law to make seizures of ships, and may put on board any ship so seized or detained any one or more of such officers to take charge of the same, and to enforce the provisions of this Order, and any officer seizing or detaining any ship under this Order may use force, if necessary, for the purpose of enforcing seizure or detention, and if any person is killed or maimed by reason of his resisting such officers in the execution of his duties, or any person acting under his orders, such officer so seizing or detaining the ship, or other person, shall be freely and fully indemnified as well against the King's Majesty, His Heirs and Successors, as against all persons so killed, maimed or hurt.

Powers of officers authorised to seize ships.

23. If the Governor is satisfied that there is a reasonable and probable cause for believing that a ship within the Protectorate has been or is being built, commissioned, or equipped contrary to this Order, and is about to be taken beyond the limits of such Protectorate, or that a ship is about to be despatched contrary to

Special power of Governor to detain ship.

this Order, such Governor shall have power to issue a warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant the local authority shall have power to seize and search such ship, and to detain the same until it has been either condemned or released by process of law, or in manner hereinafter mentioned.

The owner of the ship so detained, or his agent, may apply to the Court for its release, and the Court shall as soon as possible put the matter of such seizure and detention in course of trial between the applicant and the Crown as represented by the Governor.

If the applicant establish to the satisfaction of the Court that the ship was not and is not being built, commissioned, or equipped, or intended to be despatched contrary to this Order, the ship shall be released and restored.

If the applicant fail to establish to the satisfaction of the Court that the ship was not and is not being built, commissioned or equipped, or intended to be despatched contrary to this Order, then the ship shall be detained till released by order of the Governor.

The Court may in cases where no proceedings are pending for its condemnation release any ship detained under this article on the owner giving security to the satisfaction of the Court that the ship shall not be employed contrary to this Order, notwithstanding that the applicant may have failed to establish to the satisfaction of the Court that the ship was not and is not being built, commissioned, or intended to be despatched contrary to this Order. The Governor may likewise release any ship detained under this article on the owner giving security to the satisfaction of such Governor that the ship shall not be employed contrary to this Order; or may release the ship without such security if the Governor think fit so to release the same.

If the Court be of opinion that there was not reasonable and probable cause for the detention, and if no such cause appear in the course of the proceedings, the Court shall have power to declare that the owner is to be indemnified by the payment of cost and damages in respect of the detention, the amount thereof to be assessed by the Court, and any amount so assessed shall be payable by the proper financial officer of the Protectorate out of any moneys legally applicable for that purpose. The Court shall also have power to make a like order for the indemnity of the owner, on the application of such owner to the Court in a summary way, in cases where the ship is released by the order of the Governor, before any application is made by the owner or his agent to the Court for such release.

Nothing in this article contained shall affect any proceedings instituted or to be instituted for the condemnation of any ship detained under this article where such ship is liable to forfeiture, subject to this provision, that if such ship is restored in pursuance of this article all proceedings for such condemnation shall be stayed: and where the Court declares that the owner is to be indemnified by the payment of costs and damages for the detainer, all costs, charges and expenses incurred by such owner in or about any proceedings for the condemnation of such ship shall be added to the costs and damages payable to him in respect of the detention of the ship.

Nothing in this article contained shall apply to any foreign non-commissioned ship despatched from any Protectorate after having come within the same under stress of weather or in the course of a peaceful voyage and upon which ship no fitting out or equipping of a warlike character has taken place in the Protectorate.

24. Where it is represented to any local authority as defined by this Order, and such local authority believes the representation that there is a reasonable and probable cause for believing that a ship within a Protectorate has been or is being built, commissioned, or equipped contrary to this Order, and is about to be taken beyond the limits of the Protectorate, or that a ship is about to be despatched contrary to this Order, it shall be the duty of such local authority to detain such ship, and forthwith to communicate the fact of such detention to the Governor.

Upon the receipt of such communication the Governor may order the ship to be released if he thinks there is no cause for detaining her, but if satisfied that there is no cause for believing that such ship was built, commissioned, or equipped, or intended to be despatched in contravention of this Order, he shall issue his warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant being issued further proceedings shall be had as in cases where the seizure or detention has taken place on a warrant issued by the Governor without any communication from the local authority.

Special power of local authority to detain ship.

Where the Governor orders the ship to be released on the receipt of a communication from the local authority without issuing his warrant, the owner of the ship shall be indemnified by the payment of costs and damages in respect of the detention upon application to the Court in a summary way in like manner as he is entitled to be indemnified where the Governor having issued his warrant under this Order releases the ship before any application is made by the owner of his agent to the Court for such release.

25. The Governor may, by warrant, empower any person to enter any dockyard or other place within the Protectorate and enquire as to the destination of any ship which may appear to him to be intended to be employed in the naval or military service of any foreign state at war with a friendly state and to search such ship. Power of Governor to grant search warrant.

26. An appeal may be had from any decision of the Court under this Order to the same tribunal and in the same manner to and in which an appeal may be had in cases within the ordinary jurisdiction of the Court. Appeal from Court.

27. Subject to the provisions of this Order providing for the award of damages in certain cases in respect of the seizure or detention of a ship by the Court no damages shall be payable, and no officer or local authority shall be responsible, either civilly or criminally, in respect of the seizure or detention of any ship in pursuance of this Order. Indemnity to officers.

28. The Governor shall not be responsible in any action or other legal proceedings whatsoever for any warrant issued by him in pursuance of this Order, or be examinable as a witness, except at his own request, in any Court of justice in respect of the circumstances which led to the issue of the warrant. Indemnity to Governor.

Interpretation Clause.

29. In this Order if not inconsistent with the context the following terms have the meanings hereinafter respectively assigned to them that is to say: Interpretation of terms.

“Court” and “magistrate” mean respectively such Court and such officer as the Governor may by notification published in the Protectorate from time to time prescribe. “Court.”

“Foreign State” includes any foreign prince, colony, province, or part of any province or people, or any person or persons exercising or assuming to exercise the powers of government in or over any foreign country, colony, province, or part of any province or people: “Foreign State.”

“Military Service” shall include military telegraphy and any other employment whatever in or in connection with any military operation: “Military Service.”

“Naval Service” shall as respects a person include service as a marine, employment as a pilot in piloting or directing the course of a ship of war or other ship when such ship of war or other ship is being used in any military or naval operation, and any employment whatever on board a ship of war, transport, store-ship, privateer or ship under letters of marque; and as respects a ship include any user of a ship as a transport, store-ship, privateer or ship under letters of marque: “Naval Service.”

“The Governor” shall mean the officer by whatever name designated for the time being administering the government of a Protectorate: “Governor.”

“Ship” shall include any description of boat, vessel, floating battery, or floating craft; also any description of boat, vessel or other boat craft or battery, made to move either on the surface of or under water; or sometimes on the surface of and sometimes under water. “Ship.”

“Building” in relation to a ship shall include the doing any act towards or incidental to the construction of a ship, and all words having relations to building shall be construed accordingly: “Building.”

“Equipping” in relation to a ship shall include the furnishing a ship with any tackle, apparel, furniture, provisions, arms, munitions or stores, or any other thing which is used in or about a ship for the purpose of fitting or adapting her for the sea or for naval service and all words relating to equipping shall be construed accordingly: “Equipping.”

“Ship and equipment” shall include a ship and everything in or belonging to a ship: “Ship and equipment.”

“Master” shall include any person having the charge or command of a ship: “Master.”

“Hard Labour” shall include such punishment in the nature of hard labour as may be awarded under any law for the time being in force within the Protectorate. “Hard Labour.”

30. Nothing in this Order contained shall subject to forfeiture any commissioned ship of any foreign state, or give to the Court over or in respect of any ship entitled to recognition as a commissioned ship of any foreign state any jurisdiction which it would not have had if this Order had not passed. Saving as to commissioned foreign ships.

And the Right Honourable the Marquess of Lansdowne, K.G., and the Right Honourable Alfred Lyttelton, two of His Majesty's Principal Secretaries of State, are to give the necessary directions herein accordingly.

A. W. FITZROY.

Schedule.

List of Protectorates to which this Order applies :—

Northern Nigeria,
 Southern Nigeria,
 Sierra Leone Protectorate,
 Gambia Protectorate,
 Lagos Protectorate,
 Northern Territories of the Gold Coast,
 Southern Rhodesia,
 Barotziland, North-Western Rhodesia,
 North-Eastern Rhodesia,
 Swaziland,
 British Central Africa,
 British East Africa,
 Uganda,
 Somaliland,
 Weihaiwei,
 British North Borneo,
 Brunei,
 Sarawak,

Any protected island or territory for the time being within the limits of the Pacific Order in Council, 1893.

GOVERNMENT NOTICE No. 154]

AT THE COURT AT BUCKINGHAM PALACE,

The 14th day of November, 1904.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD CHANCELLOR	MR. A. GRAHAM MURRAY
LORD PRESIDENT	MR. J. L. WHARTON
EARL OF KINTORE	SIR A. F. ACLAND-HOOD
MR. SECRETARY AKERS DOUGLAS	

WHEREAS by an Order in Council bearing date the 24th day of October, 1904, and known as the British Protectorates Neutrality Order in Council, 1904, provision was made for the regulation of the conduct of the inhabitants of British Protectorates and other persons residing therein, during the existence of hostilities between foreign states with which His Majesty is at peace :

And whereas the Bechuanaland Protectorate was not included amongst the Protectorates enumerated in the Schedule to the said Order and the said Order therefore does not extend to the said Protectorate :

And whereas it is expedient that the said Order should extend to the said Protectorate, and that the said Schedule should be otherwise amended :

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

1. The British Protectorates Neutrality Order in Council, 1904, is hereby amended by the substitution of the following Schedule for the Schedule annexed to the said Order, viz. :—

Schedule.

LIST OF PROTECTORATES to which this ORDER applies :—

Northern Nigeria.
 Southern Nigeria.
 Sierra Leone Protectorate.
 Gambia Protectorate.
 Lagos Protectorate.
 Northern Territories of the Gold Coast.
 Bechuanaland Protectorate.
 Southern Rhodesia.
 Barotziland—North-West Rhodesia.
 North-Eastern Rhodesia.
 Swaziland.
 British Central Africa.
 British East Africa.
 Uganda.
 Somaliland.
 Weihaiwei.
 British North Borneo.
 Brunei.
 Sarawak.

Any protected island or territory for the time being within the limits of the Pacific Order in Council, 1893.

2. This Order may be cited as the British Protectorates Neutrality (Amendment) Order in Council, 1904.

A. W. FITZROY.

GOVERNMENT NOTICE No. 150]

AT THE COURT AT BUCKINGHAM PALACE.

The 11th day of April, 1913.

PRESENT,

The King's Most Excellent Majesty.

LORD PRESIDENT

LORD CHAMBERLAIN

VISCOUNT ALLENDALE

MR. J. A. PEASE.

WHEREAS by Section 3 of the Seal Fisheries (North Pacific) Act, 1912, all persons were prohibited from using any port within the United Kingdom for purposes of pelagic sealing contrary to any Order in Council made under the Seal Fisheries (North Pacific) Acts, 1895 and 1912 :

And whereas by Section 4 of the Seal Fisheries (North Pacific) Act, 1912, the importation of the skins of seals captured in contravention of any such Order as last aforesaid was prohibited :

And whereas by Section 5 (1) of the said Act it was enacted that His Majesty might by Order in Council extend the provisions of the two hereinbefore recited sections to any part of His Majesty's Dominions outside the United Kingdom, to any British Protectorate, and to Cyprus, subject to such modifications and adaptations as might appear to Him to be necessary :

And whereas by treaty, grant, usage, sufferance, or other lawful means His Majesty the King has jurisdiction in and over Cyprus and within the Dominions of His Highness the Sultan of Zanzibar :

And whereas it is desirable that the provisions of the sections 3 and 4 of the Seal Fisheries (North Pacific) Act, 1912, should be extended to the Colonies and Protectorates enumerated in the Schedule to this Order and to Cyprus and the dominions of the Sultan of Zanzibar subject to the modification and adaptations hereinafter contained :

NOW, THEREFORE, His Majesty, by virtue and exercise of the power in this behalf by the Seal Fisheries (North Pacific) Act, 1912, the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Seal Fisheries (Crown Colonies and Protectorates) Order in Council, 1913.

2. The word "Zanzibar" in this Order shall have the same meaning as in the Zanzibar Order in Council, 1906.

3. From and after the commencement of this Order Sections 3 and 4 of the Seal Fisheries (North Pacific) Act, 1912, shall apply to the Colonies and Protectorates enumerated in the Schedule to this Order and to Cyprus and to Zanzibar (all of which Colonies and Protectorates and Cyprus and Zanzibar are hereafter referred to as "Territories affected") subject to the following modification and adaptations, that is say:—

- (i) For the words "The United Kingdom" in Section 3 (1) of the said Act there be deemed to be substituted in the case of each Territory affected the name of such Territory.
- (ii) In Section 3 (2) of the said Act for the words "Secretary of State" wherever such words occur in the case of all Territories affected other than Zanzibar there shall be deemed to be substituted the words "Officer administering the Government," and in the case of Zanzibar the words "His Majesty's Agent and Consul-General for Zanzibar," and for the words "The Board of Trade or any officer of the Board" the words "any customs officer."
- (iii) In Section 4 of the said Act there shall be deemed to be substituted for the words "section 42 of the Customs Consolidation Act, 1876," a reference to the enactment in force in the Territory affected whereby the importation of goods is prohibited or restricted and such enactment shall apply accordingly.

4. This Order shall be published in the Government Gazette of each of the Territories affected other than Zanzibar and shall thereupon come into operation in such Territory. In the case of Zanzibar, this Order shall be published at Zanzibar in such manner as the Secretary of State shall direct by His Majesty's Agent and Consul-General and shall thereupon come into operation.

ALMERIC FITZROY,

Schedule.

List of British Colonies, &c., to which Sections 3 and 4 of the Seal Fisheries (North Pacific) Act, 1912, apply :

Bahamas.	Leeward Islands—
Barbados.	Antigua.
Bermuda.	Montserrat.
British Guiana.	Saint Christopher-Nevis.
British Honduras.	Virgin Islands.
Ceylon.	Dominica.
East Africa Protectorate.	Malta.
Falkland Islands.	Mauritius.
Federated Malay States—	Saint Helena.
Perak.	Saint Lucia.
Selangor.	Saint Vincent.
Negri Sembilan.	Seychelles.
Pahang.	Sierra Leone.
Fiji.	Solomon Islands Protectorate.
Gambia.	Somaliland Protectorate.
Gibraltar.	Southern Nigeria.
Gilbert and Ellice Islands Protectorate.	Straits Settlements, including Labuan.
Gold Coast.	Trinidad and Tobago.
Grenada.	Weihaiwei.
Hong-Kong.	
Jamaica (including Turks Islands and Cayman Islands).	

PROCLAMATION No. 19] PROCLAMATION.

The East Africa Townships Ordinance, 1903.

In exercise of the powers conferred upon me by the East Africa Townships Ordinance, 1903, I hereby declare that the Proclamation dated 7th September, 1903, in so far as it defines the boundaries of Kismayu shall be and is hereby altered and that the boundaries of Kismayu shall be as follows:—

KISMAYU—The area within a circle having a radius of $1\frac{1}{2}$ miles with the Provincial Commissioner's residence as centre but excluding the Somali Village.

Nairobi,

Dated this 1st day of July, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 156] RULES.

Under The East Africa Townships Ordinance, 1903.

Rules issued by his Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 1st day of July, 1913.

C. C. BOWRING,

Deputy Governor.

1. The following Rules shall apply to the Townships of Kismayu and Gobwen:—

(1) Of the Township Rules 1904, dated 19th May, 1904, the following:—

GENERAL—Nos. 1, 2, 3, 4, 5 and 6.

STREET CLEANING AND LIGHTING—No. 21.

BUILDINGS—Nos. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 38, 39, 40, 41, 42, 43, 45, 46, 49, 50, 51, and 52.

STREETS AND ROADS—Nos. 53, 54, 55 and 56.

SANITARY—Nos. 63, 64, 65, 66, 67, 68, 69, 70, 71 and 72.

STABLES, CATTLE SHEDS AND PLACES FOR KEEPING SHEEP GOATS OR SWINE—74, 75, 76, & 77.

REMOVAL OF CARCASSES—Nos. 79, 80 and 81.

FILTHY PREMISES—Nos. 82 and 83.

LAUNDRIES—Nos. 84, 85 and 86.

KEROSINE OIL—No. 87.

DIGGING OF HOLES OR EXCAVATIONS—Nos. 88 and 89.

SLAUGHTER HOUSES—Nos. 90, 91, 92, 93, 94, 95 and 96.

BAKERIES—Nos. 97, 98, 99, 100, 101 and 102.

BUTCHERS—Nos. 107, 108, 109, 110, 111, and 112.

LODGING HOUSES—Nos. 122, 123, 124, and 125.

PUBLIC MARKETS —Nos. 126, 127, 128, 129, 130, 131, 132, 136, 137, 138, 143, 144, 145, 146, 147, 148 and 149.

HAWKERS—No. 153.

PROCESSIONS—No. 154.

WASHING CLOTHES—Nos. 157 and 158.

CEMETERIES—Nos. 159, 160, 163 and 164.

CAMPS—Nos. 165, 166, 169, 170 and 171.

STREET NOISES—No. 177.

PRESERVATION OF ORDER BY NIGHT—Nos. 178, 179, 180 and 181.

FENCES—No. 182.

DOGS AND OBJECTIONABLE ANIMALS—No. 185.

STRAY ANIMALS—186.

FIREARMS AND OTHER ARMS—Nos. 183 and 189.

FIRES—Nos. 194, 195, 196 and 197.

(2) Rules dated 27th November, 1906.

(3) Rules dated 28th November, 1906.

(4) Rules dated 3rd April, 1907, as applied to Kisumu.

(5) Rules dated 16th April, 1909.

(6) Rules dated 26th October, 1909.

(7) Rules dated 25th June, 1910.

(8) Rules dated 11th November, 1911.

(9) Rules dated 13th June, 1912, as applied to Mombasa.

2. The Rules published in the "Official Gazette" of 15th November, 1907, are amended by the addition of the following rules which shall be read as one with the said rules:—

16. No boat shall drop any anchor or discharge any cargo overboard in the low water where such anchor or cargo is likely to cause damage or obstruction to boats approaching or leaving the shore.

17. The Port Officer or his representative may order any boat or vessel to shift its anchorage and any owner or crew of such boat or vessel neglecting to obey such order shall be guilty of an offence under these rules.

18. The District Commissioner or such other person whom he may depute to act on his behalf shall be deemed to be the representative of the Port Officer for the purposes of these rules.

19. All these Rules shall be cognisable to the Police.

3. The rules published in the "Official Gazette" and dated 20th October, 1911, shall apply to the Townships of Kismayu and Gobwen with the following additional rules:—

9. No person shall dig any well or construct any tank or cistern within or without any dwelling house without the permission of the District Commissioner in writing.

10. The District Commissioner may, in the interest of the public health and on the recommendation of the Medical Officer, at any time order the owner or occupier of any premises to clean out, fill in, render mosquito proof or otherwise deal with any well, tank, or cistern.

4. The following fees shall be levied in the Townships :—

Sale of fruit and vegetables ... 20 cents per diem or 50 cents per mensem.

Native Quarters Conservancy Fees

In respect of each Native hut, if occupied by one family only ... 25 cents per mensem*

In respect of each Native hut, if occupied by more than one family then in respect of each family ... 25 cents per mensem.

5. The Rules mentioned in the 1st column of the attached Schedule are repealed to the extent mentioned in the 2nd column of the said Schedule.

Schedule.

Law.	Extent of Repeal.
Rules dated 4th May, 1910 ...	Whole of the Schedule
„ „ 24th June, 1908 ...	Whole
„ „ 26th October, 1909 ...	In the Market Fees, the item “Licence to sell Fruit and Vegetables, Re. 1 per mensem.”
„ „ 10th „ 1910 ...	Whole
„ „ 3rd July, 1911 ...	Whole

GOVERNMENT NOTICE No. 157]

RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 3rd day of July, 1913.

C. C. BOWRING,

Deputy Governor.

1. No steam or motor launch shall ply for hire for the carriage of passengers within the limits of the harbour of Mombasa and Kilindini unless the same is registered and licensed under these Rules.
2. (1) Application for the registration and licensing of a steam or motor launch shall be made to the Port Officer.
(2) Every licence under these Rules shall expire on the 30th day of September in each year.
(3) A fee of Rs. 20 shall be paid in respect of every licence, except in the case of a licence issued between the 31st day of March and the 30th day of September in any year in which case a fee of Rs. 10 shall be paid for the licence.
3. The number of passengers each launch is allowed to carry shall be endorsed on the licence, cut and painted on a board placed where it can be seen in each launch and the registered number shall be legibly painted on both sides of the bow.
4. No launch shall carry more than its licensed number of passengers, and no person shall enter a launch containing its full licensed number.
5. A copy of the tariff of fares shall be printed on each licence. The licence shall be produced when asked for by a passenger.
6. No licence shall be issued before the boiler and engines have been tested and proved to be in a safe working condition.
7. No licence shall be issued to launches which are not seaworthy and well found.
8. The licence may be suspended or cancelled at any time by the Port Officer if a launch is in the charge of an incompetent nahoda or engineer, or found to be in an unseaworthy condition, or if the owner or nahoda of a launch infringes these rules.

9. All steam launches shall exhibit the regulation mast head lights and red and green side lights and all motor launches shall exhibit a white light where it can be seen, between sunset and sunrise.

10. No launch shall approach a ship arriving in port until such ship is at anchor, and permission to do so shall have been given by the Port Officer or other officer deputed by him.

11. Launches leaving the side of a ship arrived from a foreign port must proceed direct to a Customs landing and not land passengers elsewhere.

12. A launch shall not be allowed to make fast to, or hold on to any rope, gangway, projection or portion of any vessel or landing pier except while putting off or taking on board passengers. It shall lie off until called up by the Police, or an intending passenger.

13. Fares to or from a vessel in Mombasa or Kilindini harbour for every passenger (except children in arms) for each single journey, 50 cents.

14. These Rules shall be cognisable to the Police.

15. Any person committing a breach of these Rules shall be liable to be punished with a fine not exceeding Rs. 200 or 2 months' imprisonment of either description.

GOVERNMENT NOTICE No. 158] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

C. C. BOWRING,

Dated this 5th day of July, 1913.

Deputy Governor.

1. In these Rules the term "cycle" shall be held to include bicycles, tricycles and motor-cycles of every description.

2. Every owner or person in possession of a cycle who resides or shall reside or has or shall have his place of business within the Township area shall on or before the 20th day of August, 1913, or within 15 days of the date when he shall begin to reside or have his place of business within the said area, or within 15 days of the date when he shall come into possession of such cycle, and thereafter on or before the 31st day of December in each year cause such cycle to be presented at the District Commissioner's Office for registration: provided that this rule shall not apply to an unused cycle kept for the purpose of sale by a cycle dealer unless and until such cycle shall be sold or hired out or otherwise used.

3. The District Commissioner shall keep a Register in which he shall enter full particulars of every cycle presented for registration, including the names of the owner and person in possession and the makers of the cycle and its trade number and shall issue to the party presenting such cycle a form of licence on which the said particulars shall be endorsed, which licence shall be personal to the grantee thereof and shall lapse and become of no effect upon his ceasing to be the owner or person in possession of such cycle and shall not be valid after the 31st day of December in the year for which it is issued: provided that the District Commissioner may delay or refuse to issue the licence in respect of any cycle on the ground that it is not fitted with efficient brakes or for any other cause that may seem to him good and sufficient.

4. Every owner or person in possession of a cycle which has been registered under these Rules shall cause a metal ticket painted black on one side and bearing thereon the registration number of the cycle in white figures at least two inches in height and on the obverse side the trade number of the cycle and the registration number both stamped into the metal, to be attached to the back of the saddle of the cycle or to some other place to be approved by the District Commissioner, and kept so attached in such a manner as to be wholly visible.

Such ticket may be obtained from the District Commissioner on payment of the prescribed fee.

5. Any person who shall, within the Township, ride a cycle required to be registered under these Rules to which a ticket as before prescribed is not attached in the manner required by or under these Rules shall be guilty of an offence, unless it be proved by such person that the person causing the cycle to be registered had at the time of applying for such registration requested the District Commissioner to supply such ticket on payment of the prescribed fee, and that the District Commissioner has failed to supply the same at the date of the commission of the offence.

6. The following fees shall be chargeable by the District Commissioner under these Rules:—

For each ticket issued	...	...	50 Cents.
Registration Fee	...	...	25 "

7. Any person who shall fail to comply with the requirements of these Rules or shall be guilty of an offence against these Rules shall be liable to a fine not exceeding Rs. 50 and in default of payment thereof to imprisonment of a term not exceeding 14 days.

8. These Rules shall be applicable to the Township of Mombasa and shall be cognisable by the Police.

GOVERNMENT NOTICE No. 159] RULE.

The Native Passes Regulations 1900.

Rule issued by His Excellency the Governor under the Native Passes Regulations, 1900.

Nairobi,

C. C. BOWRING,

Dated this 5th day of July, 1913.

Deputy Governor.

Rule to control the Movement of Masai.

1. The Rules dated 25th August, 1908, as amended by the Rules dated 15th December, 1911, are hereby repealed.

GOVERNMENT NOTICE No. 160] RULES.

The Diseases of Animals Ordinance, 1906.

Rules issued by His Excellency the Governor under the powers conferred by the Disease of Animals Ordinance, 1906.

Nairobi,

C. C. BOWRING,

Dated this 10th day of July, 1913.

Deputy Governor.

1. These Rules shall be read as one with the Diseases of Animals Rules, 1911.

2. The Diseases of Animals Rules, 1911, are hereby amended as follows:—

(1) By inserting at the end of Rule 7 of the said rules the paragraph following:—

“Any cattle imported with the certificate required by this rule may at the discretion of the Inspecting Officer be again subjected to the tuberculin test and in the event of the animal reacting to the test the animal shall be slaughtered.”

Provided, however, a post-mortem examination shall be held in every such case and unless tubercular lesions are demonstrated on such examination the person importing the animal shall be entitled to be paid out of the revenues of the Protectorate the value of the animal slaughtered.”

(2) By the deletion of Rule 28 of the said Rules and by the substitution thereof of the Rule following:—

28. Whenever a Veterinary Officer or an Inspector has reason to believe that any animal is infected with disease or has been exposed to infection, he shall order such animal to be isolated or to be dealt with in such other manner as he may deem expedient, and may from time to time issue such other orders, directions and prohibitions as he may consider necessary or advisable in order to prevent the spread of the disease. Provided, however, an Inspector shall not cause any animal to be slaughtered except on the instructions of a Veterinary Officer.

Any person who shall fail to obey the orders or directions of, or who shall do or permit to be done any act or thing prohibited by a Veterinary Officer or Inspector under this Rule shall be guilty of a breach of these rules.

(3) By the deletion of Rule 34 of the said Rules and by the substitution thereof of the Rule following:—

34. No person shall remove from any infected area or from any place in which animals are detained in quarantine any grass, herbage, offal or any skin or hide except with the sanction of the Veterinary Officer in charge of such area or place.

Any Veterinary Officer, Inspector or Police Officer may seize and destroy or otherwise deal with any grass, herbage, offal, skin or hide which shall have been removed in breach of this rule.

3. Any animal detained in quarantine under the Diseases of Animals Ordinance, 1906, or under any rule, proclamation or order thereunder, and whether or not any fee is charged in respect of such animal, shall be detained at the risk and expense of the owner thereof, and it shall be the duty of such owner to provide any shelter or other accommodation which may be required for the animal and any servants who may be required to attend to and safeguard the animal.

GOVERNMENT NOTICE No. 161] RULES.

Indian Explosives Act, 1881.

Rules issued by His Excellency the Governor under the Indian Explosives Act, 1884, as applied to the Protectorate.

Nairobi,

Dated this 12th day of July, 1913.

C. C. BOWRING,

Deputy Governor.

1. No explosives shall be imported into the Protectorate at any port except Mombasa, Kilindini, Malindi, Lamu, Kismayu, or such other ports as the Governor may by notification in the "Gazette" prescribe.

2. The master of any vessel arriving at any port of the Protectorate with explosives except Class VI, Division I, exceeding in weight 100 lbs. on board as cargo shall give notice thereof to the Port Officer immediately on his arrival.

3. All sea-going vessels having explosives on board in excess of 100 lbs. weight excepting explosives of Division I of the Ammunition Class (Class VI) shall take up such berth as may be appointed by the Port Officer, and no vessel shall, except at such anchorage, take on board from any other vessel more than 100 lbs. weight of explosives or such quantity as with explosives already on board would exceed in weight 100 lbs. excepting explosives of Division I of the Ammunition Class (Class VI).

4. Every sea-going vessel having more than 100 lbs. of explosives on board excepting explosives of Division I of the Ammunition Class (Class VI) shall carry during the day a swallow tail red flag at the fore truck and at night a red light in the same place, in addition to the regulation lights, and every vessel used in transporting explosives excepting as aforesaid, in any port, shall exhibit on a board or otherwise the word "Explosives" painted in white letters a foot long on a black ground on each side of the vessel above the water line, vessels employed in landing or shipping explosives, and having on board more than 100 lbs. of explosives, excepting as aforesaid, when required to remain at anchor, shall anchor in such place as may be appointed by the Port Officer.

5. The consignee, agent or other person concerned shall give written notice 48 hours before the expected arrival of any vessel having explosives in excess of 100 lbs. weight on board excepting explosives of Division I of the Ammunition Class (Class VI) or before shipment of any such explosives, to the Port Officer who may depute a special officer to remain in charge of such explosives until the same have been deposited in the Magazine or the vessel carrying the same proceeds to sea.

6. The amount of explosives conveyed in any one vessel at any one time shall not exceed 560 lbs. unless the vessel has been approved for the purpose by the Port Officer.

No vessel shall carry more than 50 tons of explosives at one time. This rule does not apply to sea-going vessels.

7. The Port Officer is authorised, on occasions when he may deem expedient, to permit ammunition when properly packed in cases, when such cases do not exceed fifty in number, to be shipped on board a vessel lying at the ordinary anchorage on the day or the day before such vessel is intended to sail. Shipments shall be effected under the same precautions and conditions as are prescribed in these rules.

Ammunition permitted to be shipped under this rule must be taken on board immediately on the same arriving alongside and whilst the vessel transporting the ammunition is lying alongside no other vessel shall be permitted to lie on the same side of the vessel on which the ammunition is being shipped.

8. No explosives excepting explosives of Division I of the Ammunition Class (Class VI) shall be landed or shipped at any place other than such as has been approved for the purpose by the Port Officer and only landed at such time as the Port Officer approves. No such explosives shall be landed except after due clearance through the Customs.

9. The master of a vessel in respect of which a breach of any these rules is committed, and any person who shall commit a breach of any of these rules, shall on conviction be liable to a fine which may extend to one thousand rupees.

10. "Master" includes every person (except a pilot or harbour master) having for the time being command or charge of a vessel: provided that in reference to a boat belonging to a ship "master" shall mean the master of the ship.

"Vessel" includes every ship, boat or other vessel used in navigation, whether propelled by oars or otherwise.

"Port Officer" means in the case of any port to which no officer is appointed to be the Port Officer resident at such port, the District Commissioner or Assistant District Commissioner.

11. Explosives shall be classified as follows, namely :—

Class I	...	...	Gunpowder
Class II	...	...	Nitrate-Mixture
Class III	...	...	Nitro-Compound
Class IV	...	...	Chlorate-Mixture
Class V	...	...	Fulminate
Class VI	...	...	Ammunition
Class VII	...	...	Fireworks

And when an explosive falls within the description of more than one class, it shall be deemed to belong exclusively to the latest of the classes within the description of which it falls.

Class I.—Gunpowder Class.

The term "Gunpowder" means exclusively gunpowder ordinarily so called,

Class II.—Nitrate-Mixture Class.

The term "Nitrate-mixture" means any preparations, other than gunpowder ordinarily so called, formed by the mechanical mixture of a nitrate with any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be or be not added to such preparation, and whether such preparation be or be not mechanically mixed with any other non-explosive substance.

The nitrate-mixture class comprises such explosives as :—

Pyrolithe,
Pudrolithe,
Poudre sexifragine,

and any preparation coming within the above definition.

Class III.—Nitro-Compound Class.

The term "Nitro-Compound" means any chemical compound possessed of explosive properties, or capable of combining with metals to form an explosive compound, which is produced by the chemical action of nitro acid (whether mixed or not with sulphuric acid) or of a nitrate mixed with sulphuric acid upon any carbonaceous substance, whether such compound is mechanically mixed with other substance or not.

The nitro-compound class has two divisions.

Division 1 comprises such explosives as :—

Nitro-glycerine,
Dynamite
Lithofracteur,
Dualine,
Glyoxiline,
Methylic nitrate,

and any chemical compound or mechanically mixed preparation which consists either wholly or partly of nitro-glycerine or some other liquid nitro-compound.

Division 2 comprises such explosives as :—

Guncotton ordinary so-called,
Gunpaper,
Xyloidine,
Gun sawdust,
Nitrated guncotton,
Cotton gunpowder,
Schultz's powder,
Nitro-mannite,
Picrates,
Picric powder,
Tonite (or cotton-powder),

and any nitro-compound as before defined which is not comprised in the first division.

Class IV.—Chlorate-mixture Class.

The term "Chlorate-mixture" means any explosive containing a chlorate.

The chlorate mixture class has two divisions.

Division 1 comprises such explosives as :—

Horsley's blasting powder,
Brain's blasting powder,

and any chlorate preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound.

Division 2 comprises such explosives as:—

Horsley's original blasting powder,
 Erhardt's powder,
 Reverley's powder,
 Hochstadter's blasting charges,
 Richen's blasting charges,
 Teutonite,
 Chlorated guncotton,

and any chlorate-mixture as before defined, which is not comprised in the first division.

Class V.—Fulminate Class.

The term "Fulminate" means any chemical compound or mechanical mixture, whether included in the foregoing classes or not, which, from its great susceptibility to detonation, is suitable for employment in percussion caps or any other appliances for developing detonation, or which from its extreme sensibility to explosion, and from its great inscability (that is to say, readiness to undergo decomposition from very slight exciting causes), is specially dangerous.

This class consists of two divisions.

Division 1 comprises such compounds as the fulminates of silver and of mercury, and preparations of these substances, such as are used in percussion caps, and any preparation consisting of a mixture of a chlorate with phosphorus, or certain descriptions of phosphorus compounds, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with a sulphurate, with or without carbonaceous matter.

Division 2 comprises such substances as the chlorate and the iodide of nitrogen fulminating gold and silver, diazobenzol, and the nitrate of diazobenzol.

Class VI.—Ammunition Class.

The term "Ammunition" means an explosive of any of the foregoing classes when enclosed in case or contrivance, or otherwise adapted or prepared so as to form a cartridge or charge for small arms, cannon, or any other weapon, or for blasting, or to form any safety or other fuze for blasting, or for shells, or to form any tube for firing explosives, or to form a percussion cap, detonator, a fog signal, a shell, a torpedo, a war rocket, or other contrivance other than a firework.

The term "Percussion cap" does not include a detonator.

The term "Detonator" means a capsule or case which is of such strength and construction, and contains an explosive of the fulminate-explosive class in such quantity that the explosion of one capsule or case will communicate the explosion to other like capsules or cases.

The term "Safety fuze" means a fuze for blasting, which burns and does not explode, and which does not contain its own means of ignition, and which is of such strength and construction and contains an explosive in such quantity that the burning of such fuze will not communicate laterally with other like fuzes.

The expression "Safety cartridges" means cartridges for small arms of which the case can be extracted from the small arm after firing, and which are so closed as to prevent any explosion in one cartridge being communicated to other cartridges.

The ammunition class has three divisions.

Division 1 comprises exclusively:—

Safety cartridges,
 Safety fuzes for blasting,
 Railway fog signals,
 Percussion caps.

Division 2 comprises any ammunition as before defined which does not contain its own means of ignition and is not included in Division 1 such as:—

Cartridges for small arms which are not safety cartridges.

Cartridges and charges for cannon, shells, mines, blasting or other like purposes.

Shells and torpedoes containing any explosive, fuzes for blasting which are not safety fuzes,

Fuzes for shells,
 Tubes for firing explosives,
 War rockets,

which do not contain their own means of ignition.

Division 3 comprises any ammunition as before defined which contains its own means of

ignition and is not included in Division 1 such as;—

Detonators

Cartridges for small arms, which are not safety cartridges,

Fuzes for blasting, which are not safety fuzes,

Fuzes for shells,

Tubes for firing explosives,

which do not contain their own means of ignition.

By ammunition containing its own means of ignition is meant ammunition having an arrangement, whether attached to it or forming part of it, which is adapted to explode or fire the same by friction or percussion.

Class VII—Firework Class

The term “Firework” comprises firework composition and manufactured fireworks.

Division 1. The term “firework composition” means any chemical compound or mechanically mixed preparation of an explosive or inflammable nature which is used for the purpose of making manufactured fireworks, and is not included in the former classes of explosives, and also any coloured fire composition.

Division 2. The term “manufactured firework” means any explosive of the foregoing classes and any firework composition when such explosive composition is enclosed in any case or contrivance or is otherwise manufactured so as to form a squib, cracker, serpent, rocket (other than a war rocket), maroom, star, lance, wheel, chinese fire, roman candle or other article adapted for the production of pyrotechnic effects or pyrotechnic signals.

GOVERNMENT NOTICE No. 162]

NOTICE.

Rules under the Indian Explosives Act 1884.

Notice is hereby given that it is proposed after 28 days from the date of this notice to submit for His Excellency's approval the following draft Rules under the Indian explosives Act 1884 (IV of 1884) as applied to the East Africa Protectorate to regulate the transport of explosives in the ports of British East Africa.

1. Explosives when loaded into boats or lighters shall be completely covered with painted cloth, tarpaulins or other suitable material so as to effectually protect them against communication of fire.

2. Before any explosives are put on board of any boat or lighter, the floor of such boat or lighter must be swept clean and be covered with matting, old sails or some suitable material, so that the packages containing the explosives may not come in contact with the flooring or sides of such boat or lighter.

3. Every boat or lighter conveying explosives shall have a red flag not less than 4 feet by 2 feet, hoisted during the whole period such explosives may remain on board the same, as well as the word “Explosives” painted in white letters a foot long on a black background.

4. No person or persons shall go on board any boat or lighter containing explosives other than those lawfully employed in navigating the same, and at the time and place of landing such explosives, any persons not engaged in the discharge of the boat or lighter may be ordered to a reasonable distance by the special officer on duty at such time and place.

5. During the loading or unloading of explosives, no lucifer or other matches, tobacco pipes, cigarettes or articles of iron or steel are to be taken on board any boat or lighter containing explosives, and no boots or shoes shall be worn by persons engaged in such loading and unloading.

6. No person having the appearance of intoxication shall be allowed to be on board or to take part in the loading or unloading of any boat, lighter or other vehicle containing explosives.

7. No fires or lights will be allowed in boats or lighters conveying explosives.

8. Before unloading or loading explosives all fires other than the main furnaces on board the vessel importing or exporting the same shall be extinguished and shall remain extinguished during the period of such discharge.

9. These Rules shall not apply to explosives of Division 1 of the Ammunition Class (Class VI).

GOVERNMENT NOTICE 163] REGULATION.

The East Africa Police Ordinance, 1911.

Regulation made by the Deputy Governor under the provisions of Section 89 of the East Africa Police Ordinance, 1911.

Nairobi,

Dated this 4th day of July, 1913.

C. C. BOWRING,

Deputy Governor.

1. The medals of an Asiatic or African Police Officer dying in the service will be disposed of by the Commissioner as follows:—

(i) When bequeathed by will—The medals will be sent to the legatee or to the executors.

(ii) When the police officer dies intestate—The medals will be sent to the next-of-kin:—

(a) In the following order of relationship in respect of Asiatic Police Officers and African Police Officers who are members of tribes non-resident in the Protectorate:—

Widow, eldest surviving son, eldest surviving daughter, father, mother, eldest surviving brother, eldest surviving sister.

(b) In respect of African Police Officers being members of tribes resident in the Protectorate to such member of the family as the Commissioner of Police may ascertain to be the true heir according to tribal custom.

Medals issued after the death of an Asiatic or African Police Officer will be sent by the Commissioner to the legatee or next-of-kin.

GENERAL NOTICE No. 164]

NOTICE.

Notice is hereby given that the Notice under the Fees and Royalties Ordinance, 1903, and dated 24th April, 1906, in cancelled.

Nairobi,

July 1st, 1913.

C. C. BOWRING,

Deputy Governor.

GENERAL NOTICE No. 165]

NOTICE.

The Jurisdiction of the Liwali of Malindi is extended Northwards from the Sabai River to the North boundary of Mambrui Sub-District.

Nairobi,

July 2nd, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 169]

RULES.

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 1st day of August, 1913.

C. C. BOWRING,

Deputy Governor.

1. These Rules shall apply to the Township of Nairobi, and shall come into force on August 15th, 1913.

2. For the purposes of these Rules the words "Commercial Area" shall mean that part of the township bounded by a line running as follows viz: from Ainsworth Bridge in an easterly direction along the Nairobi River as far as Swamp Road, thence along the centre line of Swamp Road to its junction with Ngara Road, thence along the centre line of Ngara Road to the southmost point of the Protectorate subordinate quarters, thence at right angles to Ngara Road in a north-easterly direction to the road forming the north-eastern boundary of the Protectorate subordinate quarters, thence in a south-easterly direction along the centre

line of the Quarry Road to the point where it crosses the township boundary, thence along the township boundary to the point where it crosses the south-eastern boundary of the Southern Factory Sites reserve, thence along the said last mentioned boundary as far as the Western Irrigation Channel, thence in a north-westerly direction along the said Channel to Whitehouse Road Bridge, thence in an east by north-easterly direction along the centre line of Whitehouse Road to the point where it crosses the Uganda Railway line, thence in a north north westerly direction along the north eastern side of the Railway to the point where the road leading in a northerly direction between plots 343 and 1015 bifurcates thence across the Railway following the north western and northern boundaries of plot 342 as far as Clement Road, thence along the centre line of Clement Road as far as the bridge across the Gara River, and thence along the said Gara River back to Ainsworth Bridge; all as the said area is delineated and shown within a red line upon the general plan of the town, being the plan deposited in the Office of the Town Clerk and signed by him as relative to these Rules and to Rule 52 of Township Rules, 1904.

3. For the purposes of these Rules the words "trade premises" shall mean any premises not being public markets in which goods of any kind shall be exposed for sale to the public or manufactured or kept or stored for trade purposes, whether wholesale or retail, or for export: provided that any premises in respect of which a licence shall be current under Township Rules, 1904, Township Rules dated 25th June, 1910, as amended by Township Rules dated 11th March, 1912, Nairobi Township Rules No. 2 of 1906 or Nairobi Township Rules No. 1 of 1909, shall not be deemed to be trade premises.

4. No person shall use any premises as trade premises or carry on any trade or manufacture therein unless the premises shall have been licensed and registered as trade premises and a valid and unexpired licence be current in respect thereof.

5. Every licence under these Rules shall expire on the 31st day of December of the year for which it shall have been granted.

6. The Town Clerk shall have power by written notice to refuse to licence any premises as trade premises, provided that he shall not have power to refuse to license any premises in the Commercial Area for which the fee hereinafter prescribed shall have been tendered except on hygienic grounds and with the written advice of the Medical Officer of Health.

7. The Town Clerk may on hygienic grounds and with the written advice of the Medical Officer of Health by written notice annul any licence granted under these Rules: but such annulment shall not take effect until 14 days shall have elapsed from the date of service of such notice, or until any appeal made as hereinafter provided in Rule 8 hereof shall have been disposed of.

8. Any decision by the Town Clerk under these Rules shall be subject to review by the Municipal Committee, on written notice of appeal given to them through their Chairman within 14 days of the date of service of notice of such decision.

9. In respect of every licence granted under these Rules there shall be payable to the Town Clerk a fee which for the year 1913 shall be rupees two, and for each subsequent year rupees five.

In the case of premises divided into two or more tenements occupied by different tenants, a separate fee shall be payable in respect of each several tenement used as trade premises.

10. Any person who shall contravene or fail to comply with any of the provisions of these Rules shall be liable on conviction to a penalty not exceeding Rs. 200 or to imprisonment for a period not exceeding two months.

GOVERNMENT NOTICE No. 170] RULES.

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 1st day of August, 1913.

C. C. BOWRING,

Deputy Governor.

1. These Rules shall apply to the Township of Nairobi.

2. In these Rules the word "owner" shall include any person other than His Majesty receiving the rents or profits of any lands or premises from any tenant or occupier thereof or who would receive such rent or profit if such land or premises were let, whether on his own account or as agent for any person other than His Majesty entitled thereto or interested therein. The term includes any lessee from the Crown or any assignee of such lessee with a registered title and any superintendent overseer or manager of such lessee or assignee on the holding.

The term "plot" shall mean any area of land being the subject of a separate lease or conveyance from the Crown. The term "sub-plot" shall mean any portion of a plot such portion being the subject of a registered assignment or conveyance.

3. In respect of the lighting of the public streets and roads of Nairobi there shall be paid to the Town Clerk at the Municipal Office by every owner of a plot or sub-plot lying within the Commercial Area as defined in Rule 2 of Township Rules dated 1st August, 1913, a charge of Re. 1/- per month, and by every owner of a plot or sub-plot lying outside the said Commercial Area a charge of 50 cents per month, for such plot or sub-plot: provided that no charge shall be payable in respect of any plot or sub-plot covenanted to be held for religious or charitable purposes or purposes of sport if and so long as such plot or sub-plot is so used exclusively.

4. The said charge shall be paid on the 1st day of August and the 1st day of September, 1913, for those months and thereafter shall be paid quarterly in advance beginning on the 1st day of October, 1913.

GOVERNMENT NOTICE No. 171] RULES.

The Infectious Diseases Ordinance, 1903

Rules issued by His Excellency the Governor under the Infectious Diseases Ordinance, 1903.

Nairobi,

Dated this 29th day of July, 1913.

C. C. BOWRING,

Deputy Governor.

1. Every case of sickness unattended by a duly qualified Medical Practitioner shall be forthwith reported to the Health Officer at the Health Office by the owner or occupier of the premises upon which the illness occurs or by some person representing such owner or occupier.

2. Any duly qualified Medical Practitioner called to attend a case of sickness must report immediately to the Health Officer at the Health Office any cases of infectious disease giving the name and address of the patient and the description and situation of the premises.

3. Every death shall be immediately reported to the Health Officer at the Health Office,

(a) by the owner or occupier of the premises upon which the death occurs, or by some person representing him; or

(b) if a duly qualified Medical Practitioner has treated deceased during the last illness of the same, by the medical attendant who shall transmit to the Health Officer his death certificate; or

(c) if the death has occurred in any street or public place, by any public servant to whose knowledge the death may have come.

4. There shall be paid out of the revenues of the Protectorate to a duly qualified Medical Practitioner (other than a Medical Practitioner in the service of the Government) a fee of Rs. 2 for every report furnished by him under Rules 2 or 3 of these Rules.

5. No sick person or corpse shall be removed from any house or premises without the permission of the Health Officer.

6. No corpse shall be buried, burnt or otherwise disposed of without the permission of the Health Officer and the Police.

7. The bodies of all persons dying of any infectious disease shall be buried or otherwise disposed of in such manner and within such time after permission for the burial or other disposal of the same has been granted by the Health Officer and the Police, as the Health Officer may order.

Burial will be permitted in a cemetery of the Community to which the deceased person belonged but the funeral must be conducted with such precautions as the Health Officer shall direct.

No grave shall be of less depth than four feet.

In cases of burning, the body must be reduced to ashes.

8. The Health Officer may at any time by day or night, with or without notice, enter any house or premises for the purpose of inspecting the same and may examine any person found therein for the purpose of ascertaining whether such person is suffering from an infectious disease.

9. The Health Officer may give to the owner or occupier of any house or premises such orders as may appear to him to be necessary for the cleansing, ventilation or disinfection of such house or premises or for the freeing of the same from rats, and it shall be the duty of such owner or occupier to carry out and obey such orders.

10. For the purpose of preventing the spread of any disease, the Health Officer may do all or any of the things following :—

- (a) destroy, cleanse, ventilate or disinfect any building or part of a building ;
- (b) remove any partition, screen, ceiling, floor or other structure or fitting or any portion thereof which retains or which is likely to retain rats or which impedes the capture or destruction of rats or which prevents the free access of light or air to the premises ; and
- (c) destroy, cleanse, disinfect or remove any article or thing of whatever nature.

11. Whenever it appears to the Health Officer that it is necessary for the purpose of the proper cleansing or disinfecting of any house or other building or of any area or for the purpose of freeing any house, building or area from rats, that the house, building or area shall be temporarily vacated, he may order any person therein or thereon to vacate the same within such time as he may specify and may prohibit any person from entering or re-entering the same during such period as the Health Officer may deem necessary for any of the purposes aforesaid.

12. Any person suffering or suspected to be suffering from any infectious disease shall, unless the Health Officer shall otherwise order, be removed to a hospital or other appointed place.

13. (1) Any person who has been in contact with any person suffering or suspected of suffering from an infectious disease may be removed to and confined within a segregation camp for such period as the Health Officer may direct and shall submit to such disinfection of his person and belongings as the Health Officer may direct.

(2) All persons in a segregation camp shall provide their own food unless the Health Officer shall otherwise direct.

14. No person shall enter a hospital used for the reception of persons suffering from an infectious disease or a segregation camp or leave such hospital or segregation camp without the sanction of the Health Officer.

15. No person shall without previous disinfection of the same remove or permit to be removed from any house, building or premises any article which he knows or has reason to believe has been exposed to infection. Provided, however, nothing herein contained shall make it an offence for any person to remove with proper precautions any such article for the purpose of having the same disinfected.

16. The Health Officer may by public notice appoint a place at which clothing, bedding, or other articles which have been exposed to infection may be washed, and no person shall wash any such article at any place not so appointed without its having been previously disinfected.

17. No person shall leave the area to which these Rules have been applied without undergoing such medical observation or disinfection or passing such period in an observation camp or station as the Health Officer may prescribe. No person shall be permitted to leave such area unless he produces a permit or other evidence that he has obtained the sanction of the Health Officer to leave such area.

18. In these Rules the term "Health Officer" shall include any Medical Officer appointed to assist the Health Officer, and any of the powers and authorities conferred upon the Health Officer by these Rules may be exercised by any such Medical Officer or by any person acting on the instructions of the Health Officer or of such Medical Officer.

19. Any orders which the Health Officer is authorised to give under these Rules shall be deemed to have been duly given if notified in any of the ways following :—

- (1) In writing served personally on the person to whom the order is directed.
- (2) By verbal communication to the person to whom the order is directed.
- (3) When the order is directed to the owner or occupier of any house, building or other premises or is made in respect of any house, building, premises or area, then in addition to either of the ways before provided, by posting a notice of the order on a conspicuous part of the house, building, premises or area.

20. No matter or thing done by a Health Officer or any officer or other person acting under the directions of a Health Officer shall, if the matter or thing were done *bonâ fide* for the purpose of executing these Rules, subject them or any of them personally to any action liability, claim or demand whatsoever.

GOVERNMENT NOTICE No. 173] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 30th day of July, 1913.

C. C. BOWRING,

Deputy Governor.

1. These Rules shall apply to the Nairobi Somali Location as hereinafter defined.
2. The Somali Location for the purposes of these Rules shall be the following area:—
Commencing at a point on the Easterly boundary of the Kyambu Road reserve, 100 feet north of the north easterly corner of plot No. 197, thence in an easterly direction parallel to and 100 feet distant from the Northerly boundary of plot No. 197 for a distance of 1,200 feet thence in a straight line in a northerly direction for 390 feet, thence in a straight line in a westerly direction to the Easterly boundary of the Kyambu Road reserve to the point of commencement.
3. Every occupier of a plot shall be responsible for the cleanliness of his individual plot and latrine and shall keep the same in a cleanly and sanitary condition to the satisfaction of the District Commissioner.
4. It shall be the duty of the occupier of every plot to keep a space of 50 feet in front of and behind their respective plots in a cleanly condition, and every occupier of a plot facing No. 197 shall keep the whole space between his respective plots and plot No. 197 in a cleanly condition to the satisfaction of the District Commissioner.
5. No ngomas shall be allowed to be held in the location.
6. Any person committing a breach of these Rules shall be liable to a fine not exceeding Rs. 50 or to one month's rigorous imprisonment.

GOVERNMENT NOTICE No. 174] RULES.

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 25th day of July, 1913.

C. C. BOWRING,

Deputy Governor.

Nairobi Township Vehicles Rules 1913 are hereby amended (1) by the addition thereto of the following Rules:—

18. Whenever during the period between 6-30 p.m. and 6 a.m., a motor car or motor cycle is used on any road or street, a lamp shall be kept burning on the car or cycle so contrived as to illuminate and render easily distinguishable every figure on the ticket attached to the back of the motor car or motor cycle or in the case of a motor cycle, if desired, on an additional, ticket fixed on the front of the motor cycle. A person so using a motor car or motor cycle on which a lamp shall not be kept burning as aforesaid shall be guilty of an offence against these Rules and shall be liable on conviction to the penalty prescribed in Rule 14.
19. The Town Clerk may issue to any manufacturer or dealer a general licence and a ticket inscribed with a number corresponding to the number of the licence which ticket may be used for any motor car or motor cycle on trial by such manufacturer or dealer or by an intending purchaser.

And (2) by the addition to the schedule under the heading "Motor Cars or Motor Lorries," of the following:—

Manufacturer's or Dealer's licence	Rs. 15/-
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GOVERNMENT NOTICE No. 162] NOTICE.

Vaccination Amendment Ordinance, 1913.

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

An Ordinance to make further and better Provision for the Prevention of Cruelty to Animals, 1913.

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

An Ordinance to amend the Immigration Restriction Ordinance, 1906.

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

The Civil Debts (Summary Recovery) Ordinance, 1913.

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

The Appropriation Ordinance, 1913.

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

By Command of His Excellency

C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 178] NOTICE.

His Excellency the Governor has prescribed that from the 1st September, 1913, the following charges shall be made in respect of goods lying on Customs Premises in lieu of the charges before prescribed and published on page 583 of the "Official Gazette" of October 1st, 1910:—

Nairobi,
August 1st, 1913.

C. C. BOWRING,
Chief Secretary.

For the first week or part thereof, subsequent to the free storage period referred to below:—

						Rs.	Cts.
Bags cargo	...	...	...	per bag	...	00	06
Bales Gunnies No. 1	...	...	...	" bale	...	00	50
" " No. 2	...	...	...	" "	...	00	25
" Blankets	...	...	...	" "	...	00	25
" Piece Goods No. 1	..	...	...	" "	...	00	25
" " " No. 2	...	...	...	" "	...	00	12
" Rope	...	...	...	" "	...	00	12
Cases Beer	...	...	...	" case	...	00	12
" Biscuits No. 1	...	...	...	" "	...	00	25
" " No. 2	...	...	...	" "	...	00	12
" Boots & shoes	...	...	...	" "	...	00	25
" Matches	...	...	...	" "	...	00	25
" Wines & spirits	...	...	...	" "	...	00	06
" Oilsmens stores & Provisions No. 1	...	...	...	" "	...	00	20
" " " " No. 2	...	...	...	" "	...	00	12
" " " " No. 3	...	...	...	" "	...	00	06
Cask goods	...	...	...	" cask	...	00	25
Drums & kegs, oils, paints, etc. No. 1	...	...	...	" drum or keg	...	00	12
" " " " " No. 2	..	...	...	" "	...	00	06
Bundles iron sheets	...	...	...	" bundle	...	00	25
Bales Cotton	...	...	...	" bale	...	00	25
" Hides	...	...	...	" "	...	00	25
" Skins	...	...	...	" "	...	00	25
" Mkandas	...	...	...	" "	...	00	25
Mkandas of produce	...	...	...	" "	...	00	06
Packages of goods unenumerated per 2 cub. ft. or part thereof	...	...	...	" "	...	00	06

For the second week or part thereof double the above rates.

For each succeeding week or part thereof treble the rates prescribed for the first week.

Eight days to be allowed free of charge, to date in case of imports from the day the first package from any particular ship enters the Customs Premises. Provided that in special cases where in the opinion of the Chief of Customs the discharge and clearance of cargo from any ship could not have been completed within the time named, the Chief of Customs may grant such further period free of charge as he may deem fit.

In the case of Exports six days from the date the first package of the consignment enters the Customs Premises.

Under the East Africa Prison Regulations 1902.

In accordance with Section 1 of the East Africa Prison Regulations 1902, a third class Prison has been established at the following Station:—

Naivasha Province

Amala River Station.

Nairobi,

Dated this 7th day of August, 1913.

C. C. BOWRING,

Deputy Governor.

GOVERNMENT NOTICE No. 179]

RULES.

Issued by His Excellency the Governor under the East Africa Township Ordinance, 1903.

Nairobi,

Dated this 9th day of August, 1913.

C. C. BOWRING,

Deputy Governor.

1. The following rules shall apply to the Townships of Rabai and Mazeras:—

(1) Of the Rules as published under date of 19th May, 1904, under the East Africa Township Ordinance 1903, and referred to as the Township Rules 1904, the following:—

GENERAL NOS. 1, 2, 3, 4, 5, 6.

BUILDING NOS. 24, 25, 34, 38, 39, 49, 50, 51 and 52.

STREETS AND ROADS NOS. 53, 54, 55, 56, and 57.

IRRIGATION TRENCHES NOS. 59, 60, 61 and 62.

SANITARY NOS. 63, 64, 65, 66, 67, 68, 70, 71 and 72.

STABLES, CATTLE-SHEDS, &c. NOS. 74, 77, and 78.

REMOVAL OF CARCASSES NOS. 79, 80 and 81.

FILTHY PREMISES NOS. 82 and 83.

DIGGING OF HOLES OR EXCAVATION NOS. 88 and 89.

SLAUGHTER HOUSES NOS. 90, 91, 92, 93, 94, 95, and 96.

DAIRIES NOS. 103, 104 and 105.

BUTCHERS NOS. 107, 108, 109, and 110, 111, 112.

LODGING HOUSES NOS. 122, 124 and 125.

PUBLIC MARKETS NOS. 126, 127, 128, 130, 131, 132, 133, 134, 136, 137, 138, 139, 142, 143, 144, 145, 146, 147, 148 and 149.

HAWKERS No. 153.

PROCESSIONS No. 154

MISCELLANEOUS NOS. 175 and 176.

CEMETERIES NOS. 159, 160, 161, 162, 163 and 164.

CAMPS NOS. 165, 169 and 170.

STREET NOISES &c. No. 177.

PRESERVATION OF ORDER BY NIGHT NOS. 178, 179, 180, and 181.

DOGS AND OBJECTIONABLE ANIMALS NOS. 183, and 185.

STRAY ANIMALS No. 186.

FIREARMS AND OTHER ARMS NOS. 187, 188 and 189.

FIRES NOS. 194, 195, 196, and 197.

(2) The Township Rules dated 30th March, 1907.

(3) Of the Rules as published under date of 12th April, 1909, and applied to Kisumu, the following.

SALE OF CATTLE &c., Nos. 16 and 17.

2. The following fees shall be levied and paid in the said Townships:—

(a) Slaughter House Fees.

	Rs.	Cts.
For each head of cattle slaughtered	1	00
For each sheep or goat slaughtered	0	25

(b) Market Fees.

For each stand in the market per diem	0	03
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(c) Sale of Livestock.

On transfer of each head of cattle	1	00
On transfer of each sheep or goat	0	25

(d) Pound Fees.

For each camel, cow, ox or donkey for first day or part of day	...	...	...	...	1	00
For each camel, cow, ox or donkey for each succeeding day or part of day	...	...	...	...	0	50
For each sheep or goat per day or part of day	...	...	...	...	0	25

(e) Permits.

Ngoma (except ya Pepo) permit	...	...	...	...	1	00
Ngoma ya Pepo permit	...	...	...	...	2	00
Building (applicable only to Mazeras township)	...	...	...	...	1	00

All former Rules published in the "Official Gazette" applicable to the Townships of Rabai and Mazeras are hereby repealed.

GOVERNMENT NOTICE No. 180] **RULE.**

The Native Pass Regulations 1900.

Rule issued by His Excellency the Governor under the Native Pass Regulations, 1900.

Nairobi,

C. C. BOWRING,

Dated this 14th day of August, 1913.

Deputy Governor.

1. The Rules issued under the above Regulations and dated 23rd December, 1910, are hereby repealed.

GOVERNMENT NOTICE No. 181] **RULES.**

Indian Explosives Act, 1884.

Rules issued by His Excellency the Governor under the Indian Explosives Act 1884, as applied to the Protectorate.

Nairobi,

C. C. BOWRING,

Dated this 14th day of August, 1913.

Deputy Governor.

1. Explosives when loaded into boats or lighters shall be completely covered with painted cloth, tarpaulins or other suitable material so as to effectually protect them against communication of fire.

2. Before any explosives are put on board of any boat or lighter, the floor of such boat or lighter must be swept clean and be covered with matting, old sails or some suitable material, so that the packages containing the explosives may not come in contact with the flooring or sides of such boat or lighter.

3. Every boat or lighter conveying explosives shall have a red flag not less than 4 feet by 2 feet, hoisted during the whole period such explosives may remain on board the same, as well as the word "Explosives" painted in white letters a foot long on a black background.

4. No person or persons shall go on board any boat or lighter containing explosives other than those lawfully employed in navigating the same, and at the time and place of landing such explosives, any persons not engaged in the discharge of the boat or lighter may be ordered to a reasonable distance by the special officer on duty at such time and place.

5. During the loading or unloading of explosives, no lucifer or other matches, tobacco pipes, cigarettes or articles of iron or steel are to be taken on board any boat or lighter containing explosives, and no boots or shoes shall be worn by persons engaged in such loading and unloading.

6. No person having the appearance of intoxication shall be allowed to be on board or to take part in the loading or unloading of any boat, lighter or other vehicle containing explosives.

7. No fires or lights will be allowed in boats or lighters conveying explosives.

8. Before unloading or loading explosives all fires other than the main furnaces on board the vessel importing or exporting the same shall be extinguished and shall remain extinguished during the period of such discharge.

9. These Rules shall not apply to explosives of Division 1 of the Ammunition Class (Class VI).

PROCLAMATION No. 21]

PROCLAMATION.

The Trading Ordinance, 1904.

In pursuance of the powers conferred upon me by the Trading Ordinance, 1904, I hereby declare that the said Ordinance shall cease to apply to the District of Gosha as from 1st January, 1914.

Nairobi,

H. C. BELFIELD,

Dated this 25th day of August, 1913.

Governor.

PROCLAMATION No. 22]

PROCLAMATION.

The Diseases of Animals Ordinance, 1906.

IMPORTATION OF SHEEP AND PIGS FROM THE UNITED KINGDOM.

In pursuance of the powers conferred upon me, I hereby declare that the Proclamation under the above Ordinance and dated the 28th August, 1912, is hereby cancelled.

Nairobi,

C. C. BOWRING,

Dated this 29th day of August, 1913.

Acting Governor.

PROCLAMATION No. 23]

PROCLAMATION.

The Diseases of Animals Ordinance, 1906.

IMPORTATION OF CATTLE FROM THE UNITED KINGDOM.

In pursuance of the powers conferred upon me, I hereby declare that the Proclamation under the above Ordinance and dated the 28th August, 1912, is hereby cancelled.

Nairobi,

C. C. BOWRING,

Dated this 29th day of August, 1913.

Acting Governor

GOVERNMENT NOTICE No. 192]

RULE.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

1. Rule 4 of the Township Rules dated 1st July, 1913, as applied to the Townships of Kismayu and Gobwen is amended by the addition of the following fees:—

In respect of a house of the 1st class...	... Rs. 2/- per quarter.
In respect of a house of the 2nd class	... „ 1/- „ „

Nairobi,

H. C. BELFIELD,

Dated this 16th day of August, 1913.

Governor.

GOVERNMENT NOTICE No. 193]

RULES.

Issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

H. C. BELFIELD,

Dated this 21st day of August, 1913.

Governor.

1. These Rules shall be read as one with Township Rules dated 2nd October, 1906, hereinafter called the Principal Rules.

2. Rule 1 of the Principal Rules is hereby repealed and the following Rule is hereby substituted therefor and shall for all purposes be read as Rule 1 of the Principal Rules, viz:

- (a) For the purpose of this Rule the word "vehicle" shall include any bicycle or tricycle and any conveyance for the carriage of persons or goods however drawn, propelled or kept or set in motion but shall not include a perambulator.
- (b) After the hour of 6-30 p.m., and until 6 a.m. Railway time, every vehicle standing in or proceeding along a public road, public place or thoroughfare shall be provided with a lighted lamp or lamps so placed as to throw the light in the direction in which the vehicle is proceeding and giving a light equal to not less than one candle power per lamp.

- (c) Such lamp or one of such lamps shall be held or fixed and kept upon the off or right hand side of such vehicle except in the case of a bicycle.
- (d) Every vehicle used for freight or merchandise or for carrying timber shall be provided with a tail lamp in addition to a lamp in front and so placed as to throw the light backwards.
- (e) Every person being in charge of a vehicle or being conveyed in or on any vehicle not provided as aforesaid or (except as aforesaid) on which a lamp shall not be held or fixed and kept as aforesaid shall be guilty of an offence against this Rule.

3. Rule 26 of Township Rules dated 28th April, 1909, is hereby repealed.

GOVERNMENT NOTICE No. 194] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,

C. C. BOWRING,

Acting Governor.

Dated this 27th day of August, 1913.

1. These rules shall apply to the Townships of Nyeri, Fort Hall, Embu and Meru.
2. No sheep or goats shall be sold in the Township except at the market.
3. The following fees shall be charged on all sheep or goats brought to the market for sale:—

For each sheep or goat	25 cents.
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GOVERNMENT NOTICE No. 195] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

C. C. BOWRING,

Acting Governor.

Dated this 28th day of August, 1913.

1. Any offence against any of the following Township Rules 1904 shall be cognizable by the Police:—

Rules 67, 157 and 159.

2. These Rules shall apply to the Township of Lamu.

GOVERNMENT NOTICE No. 196] RULE.

The Infectious Diseases Ordinance, 1903

Rule issued by His Excellency the Governor under the Infectious Diseases Ordinance, 1903.

Nairobi,

H. C. BELFIELD,

Governor.

Dated this 21st day of August, 1913.

1. Every offence under the Rules dated 29th July, 1913, shall be cognisable by the Police,

GOVERNMENT NOTICE No. 197] NOTICE.

Criminal Law Amendment Ordinance 1913, (No. 7 of 1913.)

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

Stock and Produce Theft Ordinance 1912, (No. 8 of 1913.)

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the above Ordinance.

By Command of His Excellency,

Nairobi,

C. C. BOWRING,

Chief Secretary.

Dated this 21st day of August, 1913.

GOVERNMENT NOTICE No. 204]

EAST AFRICA PROTECTORATE.

CIRCULAR.

Downing Street,

6th August, 1913.

Sir,

With reference to my Circular despatch of the 10th of February last, respecting the effect on the position of military officers of their acceptance of appointments under Colonial Governments, I have the honour to inform you that, since the decision of the Army Council was communicated to this Department, they have had before them the case of a new class of officers holding commissions in the General Reserve of Officers, *viz.*, ex-cadets of the Officers' Training Corps who have been appointed as officers of the General Reserve in virtue of their former services in that Corps.

Government Notice
No. 87. Vide
"Official Gazette"
of April 1st, 1913
page 275.

2. The Army Council state that, as such officers have never exercised command as officers, it would not be reasonable to permit them to retain their commissions unless they are readily available on mobilization, since, if mobilization took place, their presence would immediately be required at home with a view to their undergoing the training necessary to fit them to exercise command efficiently.

3. In these circumstances, it is essential that any such officer, on accepting employment under a Colonial or Protectorate Government, in whatever capacity, should immediately resign his commission in the General Reserve of Officers.

4. The ruling conveyed to you in the last paragraph of the circular of 10th February last will not, therefore, apply to this particular class of officer.

I have the honour to be,

Sir,

Your most obedient, humble servant.

L. HARCOURT.

The Officer Administering
the Government of
East Africa Protectorate.

GOVERNMENT NOTICE No. 205] RULES.

The Infectious Diseases Ordinance, 1903.

Rules issued by His Excellency the Governor under the Infectious Diseases Ordinance, 1903.

Nairobi,

Dated this 1st day of September, 1913.

C. C. BOWRING,

Acting Governor.

1. Rule 19 of the Rules under the Infectious Diseases Ordinance, 1903, dated the 29th July, 1913, shall be and is hereby amended as follows:—

By the deletion of paragraph (3) of the said Rule and by substitution therefor of the following.

2. By posting a notice of the order on a conspicuous part of the house, building, premises or area owned or occupied by the person as when the notice is to be given or in respect of which the order is made.

3. This Rule shall be read with the aforesaid Rules, and shall apply to all areas to which Rule 19 of the said Rules has been or may hereafter be applied.

The Drugs and Poisons Ordinance, 1909.

Rules made by His Excellency the Governor under the powers conferred by Section 29, of the above Ordinance.

Nairobi,

Dated this 11th day of September, 1913.

C. C. BOWRING,

Acting Governor.

1. For the purposes of these Rules the expression "poisonous substances" means poisonous substances to be used exclusively in agriculture or horticulture for the destruction of insects, fungi, or bacteria or as sheep-dip or weed-killers which are poisonous by reason of their containing arsenic, tobacco or alkaloids of tobacco; and the expression "Licensing Officer" means the Provincial Commissioner of the Province in which the licensee or applicant for a licence carries on or intends to carry on his business.

2. A licence shall not be granted under these rules to any person unless the licensing officer is satisfied that he is fit to be entrusted with the sale of poisonous substances.

3. Applications for licences shall be in the form set forth in Schedule A to these Rules.

4. Before sending an application for a licence to the licensing officer, the applicant shall publish notice of his intention to apply in a newspaper circulating in the Province in which his premises are situate and shall also send notice by registered post to the Superintendent or Deputy Superintendent of Police for the area within which such premises are situate.

5. A licence shall not be granted until after the expiration of at least fourteen days from the receipt of the application by the licensing officer, and the licensing officer before granting a licence shall take into consideration whether in the neighbourhood where the applicant for the licence carries on or intends to carry on business the reasonable requirements of the public with respect to the purchase of poisonous substances are satisfied, and also any objections he may have received from the Superintendent or Deputy Superintendent of Police or from any existing vendors of the substances to which the application relates.

6. A licence shall be in the form set forth in Schedule B to these Rules.

7. A licence shall expire on the 31st day of December of the year in which the licence is granted, but may, on application being made in the form set forth in Schedule C to these Rules, be renewed from time to time for one year at a time. The renewal of a licence shall be in the form set forth in Schedule D to these Rules.

8. A licence may be revoked or suspended for such term as the licensing officer thinks fit, if the licensing officer is satisfied that the licensee has failed to comply with these Rules, or that the licensee is not a fit person to be entrusted with the sale of poisons.

9. A licensee shall, on being required to do so by any police officer, produce his licence and any renewal thereof.

10. A fee of Rs. 10/- shall be paid in respect of the grant of a licence and a fee of Rs. 2/- shall be paid in respect of the renewal of a licence.

11. A licence shall not authorise the licensee to sell or keep open shop for the sale of poisonous substances except from or on premises (to be specified in the licence) within the Province of the licensing officer who granted it.

12. Every licensing officer shall keep a register of the licences granted by him for the time being in force, and any person shall, at all reasonable time, upon payment of a fee of Rs. 2/-, be entitled to inspect and make copies of or take extracts from the register.

13. All poisonous substances shall be kept in a separate drawer or closed receptacle apart from any other goods, and poisonous substances shall not be sold upon the same premises as articles of food for human consumption unless the licensing officer is satisfied that convenient arrangements for their sale cannot otherwise be made, and in that case they must be sold at a separate counter. For the purpose of this Rule a part of a counter which is shown to the satisfaction of the licensing officer to be adequately separated from the rest of the counter shall be treated as a separate counter.

14. A poisonous substance shall not be sold except in an enclosed vessel or receptacle as received from the manufacturer, distinctly labelled with the name of the substance and the word "Poison," and with the name and address of the seller, and with a notice of the special purpose for which it has been prepared.

15. Liquid preparations shall be sold only in bottles, tins, drums or casks of sufficient strength to bear the ordinary risk of transit without leakage. Each bottle, tin, drum or cask shall have the word "Poisonous" indelibly printed, marked or branded in easily legible characters in a conspicuous position apart from the label, and the label must bear the word "Poison." When sold in bottles the bottles shall be of a distinctive character so as to be easily distinguishable by touch from ordinary bottles.

16. Solid preparations shall be securely packed in such a manner as to avoid, so far as possible, the risk of breaking or leakage from transport, and the package shall have indelibly printed, marked or branded in easily legible characters in a conspicuous position notice that it must not be used for any other purpose.

17. A licensee shall not sell any poisonous substance to any Native or to any illiterate person unless the Native or illiterate person shall produce the written authority of a Provincial or District Commissioner for the purchase by such Native or illiterate person of the poisonous substance.

Every licensee selling a poisonous substance under this Rule shall retain the written authority and on the demand of any Police Officer shall produce the same for inspection.

18. Every licensee shall keep a book called the "Sale of Poisonous Substances Book" which shall be kept in the form set out in Schedule E to these Rules.

19. Any Police Officer may at any time between 6 a.m., and 6 p.m., inspect the "Sale of Poisonous Substances Book" kept by a licensee, and any licensee refusing or failing to produce such book for inspection when demanded shall be guilty of a breach of these Rules.

20. Before the delivery of any poisonous substance an entry shall be made in the "Sale of Poisonous Substances Book" by the seller and signed by him, and such entry shall state the date of the sale, the name and address of the person to whom the poisonous substance is sold, and the name and quantity of the poisonous substance.

21. A licensee shall not sell any poisonous substance to any person except such person shall before the substance is delivered either attend personally at the premises of the licensee and sign the entry of the sale in the "Sale of Poisonous Substances Book" or shall give or send to the licensee an order in writing signed by him stating the substance required and the purpose for which it is required.

The licensee shall retain such written order for 12 months from the date of the sale and shall on a demand of any Police Officer produce the same for inspection.

22. All premises from or on which a licensee is authorised to sell or keep open shop for the sale of poisonous substances shall at all reasonable times be open to inspection by Police Officers.

23. (1) In any breach or non-observance of these Rules the licensee shall be liable to the penalties prescribed for such breach or non-observance though the act or default constituting such breach or non-observance was that of an apprentice, clerk, servant or agent in the employ of such licensee unless he shall satisfy the Court that such act or default was not due to his negligence in the supervision or direction of such apprentice, clerk, servant or agent.

(2) Every Director and Manager of a Company shall be liable to the penalties for any breach or non-observance of these Rules by such Company.

24. These Rules may be cited as "The Poisonous Substances for Agricultural Purposes Rules 1913."

Schedule. A.

Form of Application for Licence.

The Poisonous Substances for Agricultural Purposes Rules 1913

To the Provincial Commissioner,.....

I,.....of.....

carrying on the trade of....., at.....

....., hereby apply for a licence to sell and keep open shop for the sale of (.....*being) poisonous substances to which the Poisonous Substances for Agricultural Purposes Rules 1913 apply.

I undertake to comply with the provisions of the above mentioned rules and of any rules amending or substituted for the same.

Notice of my intention to apply for such licence was published in the (name of newspaper) of (date) and has been sent by registered post to the Superintendent of Police at.....

.....

Date.....

(Signed).....

*Here insert the substances in respect of which a licence is applied for. If the application is for a licence to sell all the substances to which the rules apply the words in brackets will be omitted.

Schedule B.

Form of Licence.

The Poisonous Substances for Agricultural Purposes Rules 1913.

Licence Fee of.....
Rs. 10. carrying on the trade of.....
 at....., is hereby licensed thereat to sell and keep
 open shop for the sale of (.....*being) poisonous
 substances to which the Poisonous Substances for Agricultural Purposes Rules
 1913 apply, subject to the provisions of the said Rules and of any Rules amend-
 ing or substituted for the same.

This licence is in force until the.....day of.....191 ,

Date..... (Signed).....
Provincial Commissioner.

*Here insert the substances for the sale of which the licence is granted. If the licence is to authorise the sale
 of all the substances to which the rules apply the words in brackets will be omitted.

Schedule C.

Form of Application for Renewal of Licence.

The Poisonous Substances for Agricultural Purposes Rules 1913.

To the Provincial Commissioner.....
 I,....., of.....
 carrying on the trade of....., at..... hereby
 apply for a renewal of the licence under the Poisonous Substances for Agricultural Purposes
 Rules 1913, granted to me on the.....day of.....191 .

Date..... (Signed).....

Schedule D.

Form of Renewal of Licence.

The Poisonous Substances for Agricultural Purposes 1913.

Fee Rs. 2 The licence granted to.....of.....carrying
 on the trade of....., and dated the.....day
 of.....191.....is hereby renewed for one year from the date
 hereof.

Date..... (Signed).....
Provincial Commissioner.

Schedule E.

The Sale of Poisonous Substances Book.

Date.	Name and Address of purchaser.	Name and quantity of poisonous substance.	Signature of purchaser if present.	Date of order if in writing.	Signature of Seller.

GOVERNMENT NOTICE No. 209] RULES.

The East Africa Registration of Lake Vessels Ordinance, 1910.

Rules made by His Excellency the Governor under the above Ordinance.

Nairobi,

Dated this 25th day of September, 1913.

C. C. BOWRING,

Acting Governor.

1. The following vessels are exempt from the provisions of the East Africa Registration of Vessels Ordinance :—

- (a) Native canoes.
- (b) Yachts, vessels or boats used solely for pleasure or private purposes.
- (c) His Majesty's ships or vessels belonging to the Government of the East Africa Protectorate or of Uganda.
- (d) Vessels registered in the Uganda Protectorate under the Uganda Registration of Vessels Ordinance, 1904, or under any Ordinance substituted therefor provided the owner of such registered vessel does not reside in the East Africa Protectorate.
- (e) Vessels registered at Mwanza in German East Africa provided that the owner of such registered vessel does not reside in the East Africa Protectorate.

2. (1) The Protectorate port for the registration of vessels shall be Kisumu.

(2) The Superintendent of Marine and in his absence any officer authorised by the Superintendent of Marine to act for him in this behalf shall be the officer to perform the duties of the prescribed officer under the aforesaid Ordinance.

3. The Master of any vessel, who may be required by any rule under the East Africa Railways Ordinance 1910, to deposit the certificate of registry of his vessel with any Railway Servant whilst the vessel is alongside any Railway Pier, shall if the certificate has been so deposited be exempt from the provisions of section 10 of the East Africa Registration of Lake Vessels Ordinance 1910, during the time that the vessel is lying alongside or in the neighbourhood of the Pier.

4. The following fees shall be payable :—

(1) Upon registration of a vessel—

(a) 1st Class—Vessels of 15 tons burthen and upwards	... ..	Rs. 60
(b) 2nd Class—Vessels of less than 15 tons burthen navigated otherwise than by oars, paddles or poles only	... ..	Rs. 45
(c) 3rd Class—Vessels of less than 15 tons burthen navigable by oars, paddles or poles only	... ..	Rs. 30

(2) Upon any endorsement (other than a change of Master).....Half the above fees.

(3) Upon any endorsement upon a change of Master Rs. 05

No.....

FORM C.

Registration of Vessels)

EAST AFRICA PROTECTORATE.

Certificate of Registry.

Name.....
of.....
Owner.....
Master.....
Letter and Registered No.....
Class.....
Tonnage.....
Description.....

Signature of Registering Officer.
.....191.....

No.....

FORM C

(Registration of Vessels)

EAST AFRICA PROTECTORATE.

Certificate of Registry.

UNDER "THE EAST AFRICA REGISTRATION OF VESSELS ORDINANCE, 1910."

Name.....of.....
Owner.....
Master.....No. of Crew.....
Class.....Tonnage.....
Letter and Registered No.....
Description.....

Kisumu,
.....191.....
Signature of Registering Officer.

GOVERNMENT NOTICE No. 210]

NOTICE.

The East Africa Registration of Lake Vessels Ordinance, 1910.

Notice is hereby given that His Excellency the Governor has been pleased to direct that the above Ordinance shall come into operation on the 1st day of December, 1913.

GOVERNMENT NOTICE No. 213]

NOTICE.

The East Africa Railways Ordinance, 1910.

Notice is hereby given that His Excellency the Governor in Council has sanctioned the opening by the Uganda Railway Administration of the Thika Branch of the said Railway for the public carriage of passengers, animals and goods.

The Outlying Districts Ordinance, 1902.

In exercise of the powers conferred upon me by the Outlying Districts Ordinance 1902, I hereby declare all the area described in the 1st Schedule attached hereto to be a Closed District for the purposes of the above Ordinance; excepting and excluding therefrom all the area in the 2nd Schedule attached hereto.

The Proclamations dated 4th February 1905, and 1st May 1906, are hereby repealed.

Mombasa,

H. C. BELFIELD

Dated this 15th day of October, 1913.

Governor.

Schedule I.**Description of Boundaries of the Kenya Native Reserve.**

Commencing at the point where the Aberdare Forest Boundary crosses the Northern Chania River, the boundary follows the forest boundary till its junction with the Moringatu River.

thence down the Moringatu river to a point where it is crossed by the boundary of the Italian Catholic Mission farm;

thence the Northern boundary of the Italian Catholic Mission farm to the Nyeri-Rumuruti Road;

thence this road to the point where it meets the Northern boundary of the Nyeri Township;

thence the Northern boundary, the Western boundary, the Southern boundary, and the Eastern Boundary, of the Nyeri Township to the Chania River;

thence the Chania River to the Western boundary of farm 1119;

thence the Western, the Southern and the Eastern boundaries of farm No. 1119 to the Chania River;

thence the Chania River to its junction with the Amboni River;

thence the Amboni River to the South West corner of the boundary of the forest between the Amboni and the Nairobi Rivers;

thence the Southern and Eastern boundaries of the said forest to the Nairobi River;

thence the Nairobi River to its junction with the Sagana River;

thence the Kenya forest boundary South, East, and North, of Mt. Kenya to the Marania River nearest Meru Station;

thence this Marania River to its junction with the 2nd Marania River;

thence the Siolo River to the base of the Matoni Escarpment;

thence this Escarpment to 37° 10' E;

thence 37° 10' E to the Euaso Nyiro River;

thence down this river to the junction of the Lakdera River with the Lorian Swamp;

thence in a straight line to the junction of the Mackenzie and Tana Rivers;

thence up the Tana River to its junction with the Maragwa River;

thence up the Maragwa River to its junction with the Kaiawhi River;

thence up the Kaiawhi River to the Western boundary of farm No. 333;

thence the Western, Southern, and Eastern boundaries of farm No. 333;

thence the Maragwa River to the bridge on the Fort Hall—Nairobi Road;

thence the Fort Hall—Nairobi Road to the Saba Saba River;

thence down the Saba Saba River to its junction with the Thara Thara River;

thence up the Thara Thara River to the Fort Hall—Nairobi Road;

thence the Fort Hall—Nairobi Road to the Kabuku River;

thence the Kabuku River to the Western Boundary of farm No. 298;

thence the Western boundaries of farms Nos. 298, 297, 296 to the Chania River;

thence up the Chania River to the Aberdare's Forest Boundary;

thence the Forest Boundary to the point of commencement.

Schedule II.

Trade Roads.

KENYA PROVINCE.

District.	Name of Road.	Situation.	Names of Villages, etc., through which the road passes or with which it communicates.	Extent.
Fort Hall ...	Fort Hall—Naivasha	Fort Hall to Naivasha boundary, via Waithaga and Tusu.	Muiru, Uimbia, Ikai, Kamau wa Ngundu's, Mugo's, Karuri's, and Waithaga's trading site.	About 37 miles.
Fort Hall and Nyeri ...	Fort Hall—Nyeri (old road)	Fort Hall to Nyeri via Wambugu's old village.	Katabarua's, Karinga's, Rurunga's, Wambugu's, Ngatunye's, Ndiyo's.	About 30 miles.
Nyeri ...	Nyeri—Naivasha	Nyeri to Naivasha boundary, via Tetu and the Aberdare range.	Nderi's, Nduino's.	do
Nyeri, Meru ...	Nyeri—Meru	Nyeri to Meru via West Kenya farms	...	About 75 miles.
Nyeri, Fort Hall and Embu ...	Nyeri—Embu	Nyeri to Embu	Karetini's, Warigo's, Mathenge's, Kaku's, Wambugu's, Kukunja's, Muhora's, Kimaru's, Ndegwa's, Kamanda's, Karandito's, Kachare's, Ndaroshi's, Kicheru's, Njuru's, Miwangau's, and Keringa's Trading Site	About 40 miles.
Fort Hall, Embu...	Fort Hall—Embu	Fort Hall to Embu	Njegga's, Muithiga's, Nyagga's, Munge's, Karandito's, Kutu's and Kagio Trading Site.	About 29 miles.
Embu ...	Embu	...	Chief Kutu's and Sub-Chief Katubiri's	About 6 miles.
Meru ...	Upper Tigania main road	...	Chugu, Munyso, Oringu, Kianjahi, Kithee, Azuana	About 17 miles.

Trade Centres.

KENYA PROVINCE.

Name of the Trade Centre.	Situation.	Rough Extent.
NYERI DISTRICT.		
Nyeri township ...	Nyeri Government station	A radius of about one mile from the Government Flag Staff.
Nihuti ...	On the Nyeri-Fort Hall cart road, about equidistant between Nyeri and Fort Hall	About seven acres.
Kagio Market ...	About 12 miles E. N. E. from Fort Hall near Nyagga's village on Fort Hall-Embu road where it is crossed by the road through Kithai's village connecting with the Embu-Nyeri road. Roads described under Embu District <i>i.e.</i> Fort Hall to Embu	4 European plots 150 ft. × 150 ft. 12 Indian plots 100 ft. × 50 ft.
FORT HALL DISTRICT.		
Fort Hall township ...	Fort Hall Government station	A radius of about one mile from the Government Flag Staff.
Waithaga...	About 12 miles West from Fort Hall at Ikai's village on Fort Hall-Tusu cart road where it is crossed by the main native track from Nyeri to Kiambu: the latter passes close to Kibarabara's village.	3 European plots 150 ft. × 150 ft. 10 Indian plots 100 ft. × 50 ft.
Higaini ...	About 13 miles South of Fort Hall and 13 miles North of the Thika Bridge on the Nairobi—Fort Hall road near where it is joined by the main native track through Kibarabara's village and running West to Njiri's village.	4 Indian plots 150 ft. × 150 ft. 10 Indian plots 100 ft. × 50 ft.
EMBU DISTRICT.		
Embu township ...	Embu Government station.	A radius of about one mile from the Government Flag Staff.
Njuku ...	Karinga River Bridge on main Embu-Nyeri road, about 16 miles W. of Embu station.	2½ acres approximately.
Kyandekio ...	Nyamindi river sub-division of Giriambu about 9 miles West of Embu station.	2¼ " " "
Kathatari ...	Kapingazi river about two miles N. E. of Embu Station on Embu-Meru road.	About ten acres with the Kapingazi bridge as a centre.
Kutu's ...	Ziba river bridge on the main Fort Hall-Embu road, about 9½ miles W. of Embu station.	About 50 acres.
Kabugwa...	In Kichugu on the Mukengeria and Kabugwa rivers, about 15 miles from Embu station.	32½ acres.
MERU DISTRICT.		
Meru township ...	Meru Government station.	A radius of about one mile from the Government Flag Staff.
Maua ...	Centre of Igembi District about 30 miles from Meru Boma.	About 800 yards from centre of market.
Njangwa ...	Ruito's division on main road in Tharaka.	About two acres.
Muthara ...	Upper Tigania, on the main road about 17 miles from Meru station.	Approximately three acres as defined by beacons erected by the District Commissioner.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Mombasa,

Dated this 29th day of October, 1913.

H. C. BELFIELD,

Governor.

1. For the purposes of these Rules—

- (1) any premises in such a state or condition as to be a nuisance or injurious to health ;
- (2) any premises in such a state or condition and any building so constructed as to be likely to harbour rats ;
- (3) any pool, ditch, gutter, water course, privy, latrine, urinal, cesspool, drain, ash-pit, refuse-pit, dust-bin, well, water-tank, sink in such a state or condition or so situated as to be a nuisance or injurious to health ;
- (4) any animal so kept as to be a nuisance or injurious to health ;
- (5) any hole or excavation, well, pond or quarry in or near any road, street or pathway which is or is likely to become dangerous to the public ;
- (6) any accumulation or deposit which is a nuisance or injurious to health ;
- (7) any growth of weeds, grass or wild bush which may be a nuisance or injurious to health ;
- (8) any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates, whether or not members of the same family ; and
- (9) any cesspool or cesspit constructed after the date of these Rules beneath any part of a building which is used or intended to be used wholly or partly for human habitation or in which any manufacture, trade or business is or is intended to be carried on ;

shall be deemed to be nuisances liable to be dealt with summarily in manner provided by these Rules.

2. The Health Officer or any person authorised by him either generally or in any particular case shall be admitted into any premises for the purpose of examining as to the existence of any nuisance thereon at any times between the hours of nine in the morning and six in the afternoon, or in the case of a nuisance arising in respect of any business then at any hour when such business is in progress or is usually carried on. Where a nuisance has been ascertained to exist or a nuisance order has been made, the Health Officer or any person authorised by him shall be admitted into the premises between the hours aforesaid until the nuisance is abated or the works ordered to be done are completed as the case may be.

When a nuisance order has not been complied with or has been infringed, the Health Officer or any person or persons authorised by him shall be admitted at all reasonable times into the premises where the nuisance exists in order to abate the same. If admission to premises for any of the purposes of this rule is refused, any Magistrate on application by the Health Officer may by order in writing require the person having custody of the premises to admit the Health Officer or any person authorised by him into the premises during the hours aforesaid, and if no person having custody of the premises is found, the Magistrate shall authorise the Health Officer or any person authorised by him, if necessary, to break and enter on such premises. Any such order shall continue in force until the nuisance has been abated or the work for which the entry was necessary has been done.

3. Any person who refuses to obey an order of a Magistrate for admission of the Health Officer or any person or persons authorised by him, or who obstructs such officer or other person in any act authorised under these rules shall be liable to a fine not exceeding seventy five rupees or to imprisonment of either description for a term not exceeding one month.

4. Whenever the Health Officer is satisfied that a nuisance exists or has existed and is likely to recur on any land or premises in the Township, the Health Officer shall serve a notice on the person by whose act default or sufferance the nuisance exists or is liable to recur or, if such person cannot be found, on the occupier or owner of the land or premises on which the nuisance arises or has arisen requiring him to abate the nuisance or to do what is necessary to prevent its recurrence within the time specified in the notice, and such notice may specify any works to be executed for the purpose of abating the nuisance or preventing its recurrence, provided that :—

- (1) When the nuisance arises from any want or defect of a structural character or when the premises are unoccupied, the notice shall be served on the owner.

- (2) When the person causing the nuisance cannot be found and it is clear that the nuisance does not exist by the act or default or sufferance of the owner or occupier of the premises, the Health Officer may abate the same and do what is necessary to prevent the recurrence thereof.

5. When a notice has been served on any person under the last preceding rule and either—

- (a) The nuisance arose from the wilful act or default of the said person; or
 (b) Such person makes default in complying with any of the requisitions of the notice within the time specified;

he shall be liable to a fine not exceeding 150 rupees or to imprisonment of either description for a term not exceeding two months for each offence.

6. (1) If either

- (a) The person on whom a notice has been served under Rule 4 of these Rules makes default in complying with the requisitions thereof within the time specified; or
 (b) The nuisance, although abated since the service of the notice, is in the opinion of the Health Officer likely to recur on the same premises; the Health Officer shall make a complaint to a Magistrate and the Magistrate hearing the complaint may make on such person a summary order, in these Rules referred to as a nuisance order.
- (2) A nuisance order may be an abatement order, a prohibition order, or a closing order or a combination of such orders.
- (3) An abatement order may require a person to comply with any of the requisitions of the notice, or otherwise to abate the nuisance within a time specified in the order.
- (4) A prohibition order may prohibit the recurrence of a nuisance.
- (5) An abatement order or prohibition order shall, if the person on whom the order is made so requires or the Magistrate considers it desirable, specify the work to be executed by such person for the purpose of abating or preventing the recurrence of a nuisance.
- (6) A closing order may prohibit a house or building from being used for human habitation.
- (7) A closing order shall only be made when it is proved to the satisfaction of the Magistrate that, by reason of a nuisance, a house or building is unfit for human habitation, and if such proof is given the Magistrate shall make a closing order.
- (8) The Magistrate, when satisfied that the house or building has been rendered fit for human habitation, may declare that he is so satisfied and cancel the closing order.
- (9) If a person fails to comply with the provisions of a nuisance order with respect to the abatement of a nuisance, he shall, unless he satisfies the Magistrate that he has used all due diligence to carry out such order, be liable to a fine not exceeding ten rupees a day during his default, and if a person knowingly and wilfully acts contrary to a prohibition or closing order he shall be liable to a fine not exceeding ten rupees a day during such contrary action; moreover the Health Officer or some person authorised by him may enter the premises to which a nuisance order relates, and abate or remove the nuisance or do whatever may be necessary in execution of such order, and recover as a civil debt recoverable summarily the expenses incurred from the person on whom the order is made.

7. All reasonable costs and expenses incurred in serving a notice, making a complaint, or obtaining a nuisance order, or in carrying the order into effect, shall be deemed to be money paid for the use and at the request of and shall be a civil debt recoverable summarily from the person on whom the order is made; or, if no order is made but the nuisance is proved to have existed when the complaint was made or the notice given, then of the person by whose act or default the nuisance was caused; and in case of nuisances caused by the act or default of the owner of the premises, such costs and expenses may be recovered from any person who is for the time being owner of such premises.

8. Any matter or thing removed by the Health Officer in abating or doing what is necessary to prevent the recurrence of a nuisance, may be sold or otherwise disposed of as the Health Officer may determine; the monies arising from any such sale may be retained by the Health Officer and applied in payment of the expenses incurred by him in reference to such nuisance and the surplus (if any) shall be paid, on demand, to the owner of such matter or thing.

9. When the occupier of any premises prevents the owner thereof from obeying or carrying into effect the requirements of any notice or order under these Rules, a Magistrate, on complaint, shall by order require such occupier to permit the execution of any works which appear to the Magistrate to be necessary for the purpose of obeying or carrying into effect the requirements of the notice or order, and if, within twenty four hours after service on him of the order, such occupier fails to comply therewith, he shall be liable to a fine not exceeding fifteen rupees for every day during the continuance of such non-compliance.

10. Every notice or order required or authorised by these Rules to be served on any person may be served:—

- (a) By delivering the same to such person.
- (b) By delivering the same at the usual or last known place of abode of such person, or to some adult member or servant of his family.
- (c) A notice or order required or authorised to be served on the owner or occupier of any premises shall be deemed to be properly addressed by the description of the "owner" or "occupier" of such premises without further description.
- (d) Such notice may be served by delivering the same or a true copy thereof to some adult person on the premises, or if there is no such person on the premises to whom the same can with reasonable diligence be delivered, by fixing the notice on some conspicuous part of the premises.

11. The occupier of any premises shall, if required by the Health Officer or any person acting with the authority of the Health Officer, give his name and the name and address of the owner of the premises if known.

Any person offending against this rule shall be liable to a fine not exceeding 30 rupees and in default of payment to imprisonment of either description for fourteen days.

12. In these Rules:

The term "Health Officer" means the Medical Officer of Health for the township, and includes any Medical Officer appointed to assist such Medical Officer of Health.

The terms "owner" and "occupier" shall have the same meanings as are assigned to these terms by the Township Fees and Conservancy Ordinance, 1908.

The term "premises" includes messuages, buildings, lands, easements and hereditaments of any tenure, whether open or enclosed, whether built on or not, and whether public or private.

13. These Rules shall apply to the Township of Mombasa.

GOVERNMENT NOTICE NO. 216]

RULES.

The Stage Plays and Cinematograph Exhibitions Ordinance, 1912.

Rules issued by His Excellency the Governor under the Stage Plays and Cinematograph Exhibitions Ordinance, 1912.

Mombasa,

H. C. BELFIELD,

Dated this 25th day of October, 1913.

Governor.

General.

1. No building shall be used as a Theatre within the meaning of the Ordinance, unless it be provided with an adequate number of clearly indicated exits so placed and maintained as readily to afford the audience ample means of safe egress.

The seating in the building shall be so arranged as not to interfere with free access to the exits; and the gangways and the staircases and the passages leading to the exits during the presence of the public in the building shall be kept clear of obstructions.

2. All persons responsible for or employed in or in connection with the play or exhibition shall take all due precautions for the prevention of accidents and shall abstain from any act whatever which tends to cause fire and is not reasonably necessary for the purpose of the play or exhibition.

Fire Appliances.

3. Fire appliances adequate for the protection of the building shall be provided and shall include at least the following, namely a damp blanket, two buckets of water and a bucket of dry sand. In a building used habitually as a theatre they shall also include a sufficient number of hand grenades or other portable fire extinguishers. The fire appliances shall be so disposed that there shall be sufficient means of dealing with fire readily available for use within the enclosure. Before the commencement of a cinematograph exhibition the cinematograph operator shall satisfy himself that the fire appliances intended for use within the enclosure are in working order, and during the performance such appliances shall be in charge of some person specially nominated for that purpose who shall see they are kept constantly available for use.

Cinematograph Exhibitions.**ENCLOSURES.****Rules applying in all cases and to all classes of buildings.**

4. (1) (a) The cinematograph apparatus shall be placed in an enclosure of substantial construction made of or lined internally with fire-resisting material and of sufficient dimensions to allow the operator to work freely.
- (b) The entrance to the enclosure shall be suitably placed and shall be fitted with a self-closing door constructed of fire resisting material.
- (c) The openings through which the necessary pipes and cables pass into the enclosure shall be sufficiently bushed.
- (d) The openings in the front face of the enclosure shall not be larger than is necessary for the effective projection, and shall not exceed two for each lantern. Each such opening shall be fitted with a screen of fire-resisting material, which can be released both inside and outside the enclosure so that it automatically closes with a close-fitting joint.
- (e) The door of the enclosure and all openings, bushes and joints shall be so constructed and maintained as to prevent, so far as possible, the escape of any smoke into the auditorium. If means of ventilation are provided they shall not be allowed to communicate direct with the auditorium.
- (f) If the enclosure is inside the auditorium, either a suitable barrier shall be placed round the enclosure at a distance of not less than 2 feet from it, or other effectual means shall be taken to prevent the public from coming into contact with the enclosure.
- (g) No unauthorised person shall go into the enclosure or be allowed to be within the barrier,
- (h) No smoking shall at any time be permitted within the barrier or enclosure.
- (i) No inflammable article shall unnecessarily be taken into or allowed to remain in the enclosure.

Rules applying only to specified class of buildings.

- (2) In the case of buildings used habitually for cinematograph exhibitions, the enclosure shall be placed outside the auditorium; and in the case of permanent buildings used habitually as aforesaid, the enclosure shall also be permanent.

Provided with regard to the foregoing requirements, that if the licensing authority is of opinion that compliance with either or both of them is impracticable or in the circumstances unnecessary for securing safety and shall have stated such opinion by express words in the licence, the requirement or requirements so specified shall not apply.

5. Lanterns shall be placed on firm supports constructed of fire-resisting material, and shall be provided with a metal shutter which can be readily inserted between the source of light and the film-gate.

The film-gate shall be of massive construction and shall be provided with ample heat-radiating surface. The passage for the film shall be sufficiently narrow to prevent flame travelling upwards or downwards from the light-opening.

6. Cinematograph projectors shall be fitted with two metal film-boxes of substantial constructions, and not more than 14 inches in diameter, inside measurement, and to and from these the films shall be made to travel. The film-boxes shall be made close in such a manner, and shall be fitted with a film slot so constructed, as to prevent the passage of flame to the interior of the box.

7. Spools shall be chained or gear drivers and films shall be wound upon spools so that the wound film shall not at any time reach or project beyond the edges of the flanges of the spool.

8. During the exhibition all films when not in use shall be kept in closed metal boxes.

Lighting.

9. Where the general lighting of the auditorium and exits can be controlled from within the enclosure, there shall also be separate and independent means of control outside and away from the enclosure.

10. No illuminant other than electric light or lime-light shall be used within the lantern.

Electric Light.

11. (a) Within the enclosure the insulating material of all electric cables, including "leads" to lamps shall be covered with fire-resisting material.

- (b) There shall be no unnecessary slack electric cable within the enclosure. The "leads" to the cinematograph lamps shall, unless conveyed within a metal pipe or other suitable casing, be kept well apart both within and without the enclosure and shall run so that the course of each may be readily traced.
- (c) Cables for cinematograph lamps shall be taken as separate circuits from the source of supply and from the supply side of the main fuses in the general lighting circuit, and there shall be sufficient switches and fuses inserted at the point where the supply is taken and in addition an efficient double-pole switch shall be fitted in the cinematograph lamp circuit inside the enclosure. When the cinematograph lamp is working the pressure of the current across the terminals of the double-pole switch inside the enclosure shall not exceed 110 volts.
- (d) Resistances shall be made entirely of fire-resisting materials, and shall be so constructed and maintained that no coil or other part shall at any time become unduly heated. All resistances, with the exception of a resistance for regulating purposes, shall be placed outside the enclosure, and if reasonably practicable outside the auditorium. If inside the auditorium, they shall be adequately protected by a wire-guard or other efficient means of preventing accidental contact. The operator shall satisfy himself before the commencement of each performance that all cables, leads, connection and resistances are in proper working order. The resistances if not under constant observation shall be inspected at least once during each performance. If any fault is detected, current shall be immediately switched off, and shall remain switched off until the fault has been remedied.

Limelight.

- 12 (a) If limelight be used in the lantern, the gas cylinders shall be tested and filled in conformity with the requirements set out in the Appendix hereto. The tubing shall be of sufficient strength to resist pressure from without and shall be properly connected up.
- (b) No gas shall be stored or used save in containers constructed in accordance with the requirements contained in the Appendix.

13. Every licence granted under the Ordinance shall contain specific conditions for the carrying out of Rules 1 and 4 (1) (a) (b) (c) (d) (e) (f) in the building for which the licence is granted and may in accordance with Rule 4 (2) contain an expression of opinion on the matters referred to in the proviso thereto.

14. Subject to the provisions of Rule 15 every licence granted under the Ordinance shall contain a clause providing for its lapse, or alternatively for its revocation by the licensing authority, if any alteration is made in the building or the enclosure without the sanction of the said authority.

15. Where a licence has been granted under the Ordinance in respect of a moveable building, a plan and description of the building, certified with the approval of the licensing officer shall be attached to the licence. Such a licence may provide that any of the conditions or restrictions contained therein may be modified by the Licensing Officer where the exhibition is about to be given. The licence and plan and description or any of them shall be produced on demand to any Police Officer or to any Licensing Officer.

Miscellaneous.

16. The following fees shall be charged:—

(1) For every theatre licence under section 7 of the Ordinance:

- (a) If the theatre is in the opinion of the Licensing Officer capable of holding 300 persons or more at a time:—
- | | | | |
|---|-----|-----|--------------|
| (a) For an annual licence | ... | ... | Rupees 300/- |
| (b) For a monthly licence | ... | ... | " 30/- |
| (c) For a licence for one or more performance or performances, for each performance | ... | ... | " 5/- |
- (b) If the theatre is in the opinion of the Licensing Officer not capable of holding 300 persons:—
- | | | | |
|---|-----|-----|--------------|
| (a) For an annual licence | ... | ... | Rupees 200/- |
| (b) For a monthly licence | ... | ... | " 30/- |
| (c) For a licence for one or more performance or performances, for each performance | ... | ... | " 3/- |
- (2) For every licence for a stage play or cinematograph exhibition under section 7 of the Ordinance
- | | | |
|-----|-----|------------|
| ... | ... | Rupees 5/- |
|-----|-----|------------|

17. Fees paid for a theatre licence issued in respect of a building situate within the Nairobi Township shall be paid into the revenues of the said Township, but save as aforesaid all fees paid in respect of any licence shall be paid into the revenues of the Protectorate.

18. In these rules the term "building" shall be deemed to include any booth, tent, or similar structure; the term "Licensing Officer" shall mean the officer or person authorised by or under the Ordinance to issue the licence in relation to which such term is used; and the term "Ordinance" shall mean "The Stage Plays and Cinematograph Exhibitions Ordinance, 1912."

Appendix.

Limelight.

The gas cylinders shall be tested and filled in conformity with the requirements set out below:—

Cylinders of Compressed Gas (Oxygen, Hydrogen or Coal Gas.)

(a) Lap-welded wrought iron—Greatest working pressure, 120 atmospheres, or 1,800 lbs. per square inch.

Stress due to working pressure not to exceed $6\frac{1}{2}$ tons per square inch.

Proof pressure in hydraulic test, after annealing, 224 atmospheres, or 3,360 lbs. per square inch.

Permanent stretch in hydraulic test not to exceed 10 per cent of the elastic stretch.

One cylinder in 50 to be subjected to a statical bending test, and to stand crushing nearly flat between two rounded knife-edges without cracking.

(b) Lap-welded or seamless steel—Greatest working pressure, 120 atmospheres or 1,800 lbs. per square inch.

Stress due to working pressure not to exceed $7\frac{1}{2}$ tons per square inch in lap-welded, or 8 tons per square inch in seamless cylinders.

Carbon in steel not to exceed 0.25 per cent or iron to be less than 99 per cent.

Tenacity of steel not to be less than 26 or more than 33 tons per square inch. Ultimate elongation not less than 1.2 inches in 8 inches. Test-bar to be cut from finished annealed cylinder.

Proof pressure in hydraulic test, after annealing, 224 atmospheres, or 3,360 lbs. per square inch.

Permanent stretch shown by water jacket not to exceed 10 per cent of elastic stretch.

One cylinder in 50 to be subjected to a statical bending test, and to stand crushing nearly flat between rounded knife-edges without cracking.

Regulation applicable to all Cylinders.

Cylinders to be marked with a rotation number, a manufacturer's or owner's mark, an annealing mark with date, a test mark with date. The marks to be permanent and easily visible.

Testing to be repeated at least every two years, and annealing at least every four years.

A record to be kept of all tests.

Cylinders which fail in testing to be destroyed or rendered useless.

Hydrogen and coal gas cylinders to have left-handed threads for attaching connections and to be painted red.

The compressing apparatus to have two pressure gauges, and an automatic arrangement for preventing overcharging. The compressing apparatus for oxygen to be wholly distinct and unconnected with the compressing apparatus for hydrogen and coal gas.

Cylinders not to be refilled till they have been emptied.

If cylinders are sent out unpacked the valve fittings should be protected by a steel cap.

A minimum weight to be fixed for each size of cylinder in accordance with its required thickness. Cylinders of less weight to be rejected,

GOVERNMENT NOTICE No. 217] NOTICE.

Under the Stage Plays and Cinematograph Exhibitions Ordinance, 1912.

His Excellency the Governor has been pleased to direct that the above Ordinance shall come into operation on the 1st day of January 1914.

GOVERNMENT NOTICE No. 218] APPOINTMENT.

Under the Stage Plays and Cinematograph Exhibitions Ordinance, 1912.

His Excellency the Governor has been pleased to appoint the Commissioner of Police to be the Licensing Officer for the purposes of the above Ordinance with power to the Commissioner of Police by any general or special order to delegate his powers and duties under the said Ordinance to any Police Officer of or above the rank of Assistant District Superintendent.

GOVERNMENT NOTICE No. 219] NOTICE.

Under the Stage Plays and Cinematograph Exhibitions Ordinance, 1912.

His Excellency the Governor has been pleased to direct that within the Township of Nairobi the powers and duties of a District Commissioner under the above Ordinance shall be exercised and performed by the Town Clerk, Nairobi.

GOVERNMENT NOTICE No. 220] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the above Ordinance.

Mombasa,

H. C. BELFIELD,

Dated this 25th day of October, 1913.

Governor.

1. On and after the 1st day of January, 1914, Rules 150 and 151 of the Township Rules 1904 shall not apply to any theatre as defined in the Stage Plays and Cinematograph Exhibitions Ordinance 1912.

2. On and after the 1st day of January, 1914, there shall be paid in advance to the Town Clerk, Nairobi for every registration of a building in Nairobi Township under Rule 150 of the Township Rules, 1904, the fees following in lieu of the fees before prescribed for such registration:—

For registration of a building for one or more days, for each day	...	5 Rupees.
” ” ” ” month	... ..	20 ”
” ” ” ” year	... ..	150 ”

GOVERNMENT NOTICE No. 221] RULES.

The Infectious Diseases Ordinance, 1903.

Rules issued by His Excellency the Governor under the above Ordinance.

Mombasa,

H. C. BELFIELD,

Dated this 29th day of October, 1913.

Governor.

The Rules under the Infectious Diseases Ordinance, 1903, dated the 1st day of September 1913, shall be and are hereby amended as follows:—

By the deletion of the figure and words following:—

- (2) “By posting a notice of the order on a conspicuous part of the house, buildings, premises or area owned or occupied by the person as when the notice is to be given or in respect of which the order is made.”

and by the substitution therefore of the following:—

- (3) “By posting a notice of the order on a conspicuous part of the house, building, premises or area owned or occupied by the person to whom the notice is to be given or in respect of which the order is made.”

GOVERNMENT NOTICE No. 222] NOTICE.

The Infectious Diseases Ordinance, 1903

The notice dated the 28th of April, 1913, published in the “Official Gazette” of May 1st 1913, under the above Ordinance is hereby cancelled.

Mombasa,

H. C. BELFIELD,

Dated this 24th day of October, 1913.

Governor.

GOVERNMENT NOTICE No. 224] NOTICE.

Game Amendment Ordinance (No. VI of 1913).

The Secretary of State for the Colonies has been pleased to notify that His Majesty's Power of Disallowance will not be exercised with respect to the above Ordinance.

Mombasa,
October 31st, 1913.

By Command of His Excellency,
C. C. BOWRING,
Chief Secretary.

PROCLAMATION No. 25] PROCLAMATION.

Under the Land Titles Ordinance, 1908.

Whereas by Section 2 of the Land Titles Ordinance, 1908, the Governor may by Proclamation apply the said Ordinance to any district, area or place in the Protectorate and fix the day on which the said Ordinance shall commence and take effect in such district, place or area.

Now therefore in exercise of the powers conferred upon me I, Henry Conway Belfield, C.M.G., Governor of the East Africa Protectorate, do hereby apply the Land Titles Ordinance 1908, to that part of the Tana River District to which the said Ordinance has not already been applied and which lies within ten miles of the Coast, and I direct that the said Ordinance shall commence to take effect therein from the 15th day of November, 1913.

Mombasa,
Dated this 11th day of November, 1913.

H. C. BELFIELD,
Governor.

GOVERNMENT NOTICE No. 228] RULES.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the East Africa Townships Ordinance, 1903.

Nairobi,
Dated this 1st day of November, 1913.

H. C. BELFIELD,
Governor.

1. No seagoing vessel shall anchor within the limits of the Township further up stream than a place which shall from time to time be pointed out by the District Commissioner.
2. These Rules shall apply to the Township of Gobwen.

GOVERNMENT NOTICE No. 229] RULES.

Under the East Africa Volunteer Reserve Ordinance, 1910.

Rules issued by His Excellency the Governor under the above Ordinance.

Nairobi,
Dated this 5th day of November, 1913.

C. C. BOWRING,
Deputy Governor.

1. All fines imposed under Section 14 of the East Africa Volunteer Reserve Ordinance, 1910, upon a member of the Volunteer Reserve shall when recovered be paid into the funds of the Unit to which such member belongs.

2. In the event of any loss of or damage to the property of any Unit, the amount of the damage or loss assessed under Section 15 of the said Ordinance shall when recovered be paid into the funds of the Unit to which such property belonged.

3. In the event of any loss of or damage to the property of the Government, the amount of the damage or loss assessed under Section 15 of the said Ordinance shall be paid to the President and shall be utilised in repairing or replacing the property damaged or lost, or, if not so utilised, shall be paid by the President into the revenues of the Protectorate.

The East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Mombasa,

Dated this 15th day of November, 1913.

H. C. BELFIELD.

Governor.

Nairobi Building Rules, 1913.

1. In construing these Rules the following words and expressions shall have the meanings hereinafter respectively assigned to them unless the context otherwise requires:—

- (1) “*Owner*” shall as regards immovable property include any person other than His Majesty receiving the rent or profits of any lands or premises from any tenant or occupier therefor or who would receive such rent or profits if such land or premises were let whether on his own account or as agent for any person other than His Majesty entitled thereto or interested therein. The term includes any lessee from the Crown holding under a longer tenure than a tenancy from year to year and any Superintendent, Overseer or Manager of such lessee residing on the holding.
- (2) “*Occupier*” shall include any person in actual occupation of land or premises without regard to the title under which he occupies and in case of premises subdivided and let to lodgers or various tenants the person receiving the rent payable by the lodgers or tenants whether on his own account or as an agent for any person entitled thereto or interested therein.
- (3) “*Dwelling House*” means a building used or adapted or constructed to be used wholly or principally for human habitation.
- (4) “*Domestic Building*” includes a dwelling house and any other building not being a public building or of the warehouse class.
- (5) “*Public Building*” means a building used or constructed or adapted to be used either ordinarily or occasionally as a place of public worship or as a hospital, college, school (not being a dwelling house so used) theatre, public hall or as a public place of assembly for persons admitted by ticket or otherwise, or used or adapted to be used for any other public purpose.
- (6) “*Building of the Warehouse class*” means a warehouse, shop-building, factory, manufactory, brewery or distillery and also any building exceeding in cubical content 150,000 cubic feet, which is neither a public building nor a domestic building: and includes a store or godown.
- (7) “*Store*” means a building which according to the original application and plans therefor shall be designed for the storage of foodstuffs or such other material as shall in the opinion of the Medical Officer of Health be liable to harbour rats.
- (8) “*Street*” for the purposes of these Rules shall be taken to mean any highway, road or sanitary lane or strip of land reserved for a highway, road or sanitary lane, but shall not include any passage or alley of a less width than 10 feet.
- (9) “*Width*” applied to a street means the whole extent of space reserved to be used or laid out so as to admit of being used as a public way.
- (10) “*Plot*” means any area of land being the subject of a separate lease or conveyance from the Crown
- (11) “*Subplot*” means any portion of a plot, such portion being the subject of a separate conveyance, assignment or sub-lease.
- (12) “*Foundation*” applied to a wall having footings means the solid ground or artificially formed support on which the footings of the wall rest, but in the case of a wall carried by a bressummer means such bressummer.
- (13) “*External Wall*” means an outer wall or vertical enclosure of a building, and not being a party wall, even though adjoining a wall of another building.
- (14) “*Party Wall*” means:—
 - (a) A wall being used or constructed to be used in any part thereof for separation of adjoining buildings, occupied or adapted to be occupied by different persons.
 - (b) A wall forming part of a building and projecting as to any part of its length other than the projection of the footings upon land not being part of the plot or sub-plot upon which such building stands.

- (15) "*Cross Wall*" means a wall used or constructed to be used in any part of its height as an inner wall of a building for separation of one part from another part of the building, that building being wholly in, or being constructed or adopted to be wholly in, one occupation.
- (16) "*To Erect a Building*" means to erect a new building or to re-erect any building, any wall of which is pulled down to the level of the ground floor, or to convert into a dwelling house any building not originally intended according to the original application and plans thereof for human habitation, or to convert into more than one dwelling house a building originally constructed as one dwelling, and a building so erected, re-erected or converted is called a new building.
- (17) "*Base*" applied to a wall means the underside of such wall immediately above the footings, if any, or in the case of a wall wholly carried by a bressummer the underside of the wall immediately above the bressummer.
- (18) "*Bressummer*" means a wooden beam or a metallic or concrete girder which carries a wall.

2. The following buildings shall be exempt from the operation of Rules 8 to 28 and 31 to 45 hereof inclusive.

- (a) Any building erected and used or designed according to the original application and plans therefor to be used exclusively as a conservatory or plant house.
- (b) Any building erected and used or constructed or designed according to the original application and plans therefor to be used exclusively for a poultry house, garden tool house, cycle or rickshaw shed, summer house, or aviary which shall not exceed in capacity eight hundred cubic feet. Provided that this exemption shall apply to detached buildings only.
- (c) Any native hut.

3. Any building hereinafter described shall be exempt from the operation of the Rules numbered 8, 11, 12, 13, 14, 15, 16, 18 and 19 hereinafter, that is to say :

Any building comprising not more than two storeys, each wall of which shall be provided with a proper damp course as required by the Rule in that behalf and

(A) the external walls of which shall be constructed of timber framing composed of timbers not less than 4×2 inches in section for a one storey building and $4 \times 2\frac{1}{2}$ inches for a two storey building properly framed and properly covered externally with some impervious fireproof material.

(B) which shall to a height of not less than 12" above the surface of the adjoining ground be carried upon either

- (a) sufficient piers, constructed of
- (i) good cement concrete 9 inches thick
- (ii) good stone, bricks or other hard and suitable materials at least 9 inches thick and properly bonded and solidly put together: or
- (b) metal standards of sufficient strength.

Every such pier or standard shall be covered with a metal cap projecting 3 inches at least beyond the face of such pier on every side.

(C) the external wall of which shall to a height of not less than 12 inches above the surface of the ground adjoining such wall be constructed of

- (i) good cement concrete at least 9 inches thick: or,
- (ii) good stone, bricks or other hard and suitable materials at least 9 inches thick and properly bonded and solidly put together.

(D) the distance of any part of which from the boundary of any adjoining plot shall not be less than 10 feet.

Provided that where any building such as is hereinbefore described forms or is intended to form part of a block of new dwelling houses the dwellings shall be separated by a party wall which shall notwithstanding anything hereinbefore contained be constructed in accordance with the requirements of the Rules in that behalf.

4. The foundations of any new building shall not be constructed on any site which has been filled up by or has been used as a place for the deposit of excrementitious matter or the carcasses of dead animals or other filthy or offensive matter until such matter shall have been properly removed or otherwise dealt with to the satisfaction of the Medical Officer of Health.

5. Every person who shall erect a store or a building of the warehouse class shall cause the whole of the ground floor within the external walls to be constructed either (a) of cement concrete stone or bricks well grouted in cement in such a manner as to make the building proof against rats, or (b) of wood, provided that the level of any such wooden floor shall not be less than 2 feet above the mean level of the ground thereunder :

6. A person who shall construct a balcony or bay window shall construct such balcony so that it shall not project more than 2 feet 6 inches over any unalienated Crown land or any public street or road and shall not be less than 15 feet above ground level: and no balcony or bay window shall be so constructed as to project over a road, street or public passage of a less width than 30 feet.

7. The Town Clerk may give permission upon such terms as he may think fit to any person to erect a verandah upon Crown land but only in accordance with the minimum dimensions approved in that behalf by the Municipal Committee.

8. Subject to Rule 3 hereof, every wall of a new building that may be built at an angle with another wall shall be properly bonded therewith to the satisfaction of the Town Clerk.

9. Every person who shall erect a new building shall construct every wall thereof so as to rest upon proper footings.

He shall cause the projection at the widest part of the footing of every wall on each side of such wall to be at least equal to one half of the thickness of the wall at its base, except where an adjoining wall interferes.

He shall also cause the diminution of the footings to be in regular offsets, or in one offset at the top of the footings and shall cause the height from the bottom of the footings to the base of the wall to be at least equal to two thirds of the thickness of the wall at its base.

10. The foundations of the walls of every house or building other than native quarters shall be formed of a bed of good concrete, not less than nine inches thick, and projecting at least four inches on each side of the lowest course of footings of such walls. If the site be upon a natural bed of murrum or rock, concrete may be omitted from the foundations of the walls, with the approval of the Town Clerk.

The concrete must be composed of clean gravel, broken hard brick, properly burnt ballast, or other hard material to be approved by the Town Clerk, well mixed with freshly burnt lime or cement in the proportions of at least one of lime to six, and at least one of cement to eight of the other material.

11. Subject to Rule 3 hereof, every wall of a house or building shall have a damp course composed of materials impervious to moisture to be approved by the Town Clerk, extending throughout its whole thickness at the level of not less than 6 inches below the level of the lowest floor: provided that this Rule shall not apply to native quarters except where the floor thereof is of timber.

Every cellar and every wall abutting wholly or partly upon earth and being the wall of a room shall be so constructed as to be water-tight.

12. Subject to Rule 3 hereof, every person who shall erect a new building shall cause the external and party walls thereof to be constructed of concrete, good stone or bricks properly bonded and solidly put together.

Provided always that such person may construct any external walls of such building of timber framing subject to compliance with the following conditions:—

(i) The timber framing shall be properly put together, and the spaces between the timbers shall be filled in completely with stone or other solid and incombustible material.

(ii) A thickness of at least 6 inches of stone or other solid and incombustible material shall be placed at the back of every portion of timber and shall be properly bonded to the stonework or other material filling the spaces between the timbers excepting in the case of timber framing in gables properly filled in with stone or other solid and incombustible material.

13. For the purposes of these Rules with respect to the structure of walls of new buildings, the measurement of height of storeys in walls and of height and length of walls shall be determined by the following Rules:—

(i) The height of a storey in a wall shall be measured in the case of the lowest storey from the base of the wall to the upper surface of the floor next above, and in the case of every other storey from the level of the upper surface of the floor up to the level of the upper surface of the floor next above or if there be no such floor above, then up to the highest part of the wall.

(ii) The height of a wall shall be measured from the base to the highest part of the wall, or in the case of a wall, comprising a gable, to the base of the gable.

(iii) Walls shall be deemed to be divided into distinct lengths by return walls. The length of a wall shall be measured from the centre of one return party to the centre of another provided that the return walls are external party or cross walls and bonded into the walls so deemed to be divided.

A wall shall not for the purpose of this Rule be deemed a cross wall unless it is carried up to the top of the wall so divided or in the case of a gable wall to the level of the base of the gable and unless the

aggregate extent of the vertical faces or elevation of all openings therein taken together shall not exceed one half of the whole extent of the vertical face or elevation of the wall in such storey.

14. Subject to Rule 3 hereof when the external wall or the party wall of a domestic building is constructed of stone and does not exceed 15 feet in height its minimum thickness shall be 15 inches for its whole length.

When the wall exceeds 15 feet but does not exceed 28 feet in height its minimum thickness shall be 18 inches up to 15 feet and 15 inches thereafter.

Where the wall exceeds 28 feet but does not exceed 40 feet in height its minimum thickness shall be 24 inches up to the height of one storey, 20 inches thick second storey and 15 inches thereafter.

The minimum of the walls of Public Buildings and buildings of the warehouse class constructed of stone shall be as follows:—

Where the wall does not exceed 25 feet in height it shall be 18 inches thick.

Where the wall exceeds 25 feet but does not exceed 40 feet, it shall be 24 inches thick.

Where the wall exceeds 40 feet in height and does not exceed 55 feet, it shall be 24 inches thick to a height of 33 feet and 20 inches thick for the rest of its height.

When the unsupported length of any wall exceeds 30 feet clear of cross walls or partitions the thickness thereof shall be increased by 3 inches beyond the minima given above.

15. (a) Subject to Rule 3 hereof, where an external wall or a party wall of a domestic building constructed of good bricks not less than $8\frac{1}{2}$ inches long or of solid concrete does not exceed twenty five feet in height its thickness shall be as follows:—

If the wall does not exceed 35 feet in length, it shall be $8\frac{1}{2}$ inches thick for its whole height:

If the wall exceeds 35 feet in length, it shall be 13 inches thick from the base for the height of the lowest storey, and $8\frac{1}{2}$ inches thick for the rest of its height.

(b) Where the wall exceeds 25 feet but does not exceed 35 feet in height, its thickness shall be as follows:—

If the wall does not exceed 35 feet in length it shall be 13 inches thick from the base for the height of one storey, and 9 inches thick for the rest of its height.

If the wall exceeds 35 feet in length it shall be 13 inches thick from the base for the height of two storeys, and $8\frac{1}{2}$ inches thick for the rest of its height.

(c) Where the wall exceeds 35 feet but does not exceed 45 feet in height its thickness shall be as follows:—

If the wall does not exceed 35 feet in length it shall be 13 inches thick from the base for the height of two storeys and $8\frac{1}{2}$ inches thick for the rest of its height.

If the wall exceeds 35 feet in length it shall be $17\frac{1}{2}$ inches thick from the base for the height of one storey, then 13 inches thick for the height of two storeys, and $8\frac{1}{2}$ inches thick for the rest of its height.

(d) Where the wall exceeds 45 feet but does not exceed 55 feet in height, its thickness shall be as follows:

If the wall does not exceed 35 feet in length it shall be $17\frac{1}{2}$ inches thick from the base for the height of one storey, then 13 inches thick for the height of two storeys, and then $8\frac{1}{2}$ inches thick for the rest of its height.

If the wall exceeds 35 feet but does not exceed 45 feet in length, it shall be $17\frac{1}{2}$ inches thick from the base for the height of two storeys and 13 inches thick for the rest of its height.

If the wall exceeds 45 feet in length it shall be $22\frac{1}{2}$ inches thick from the base for the height of one storey, then $17\frac{1}{2}$ inches thick for the height of the next storey, and then 13 inches thick for the rest of its height.

(e) Where the wall exceeds 55 feet but does not exceed 65 feet in height its thickness shall be as follows:—

If the wall does not exceed 45 feet in length it shall be $17\frac{1}{2}$ inches thick from the base for the height of two storeys and 13 inches thick for rest of its height.

If the wall exceeds 45 feet in length it shall be $22\frac{1}{2}$ inches thick from the base for the height of one storey, then $17\frac{1}{2}$ inches thick for the height of the next two storeys, and then 13 inches thick for the rest of its height.

- (f) Where the wall exceeds 65 feet but does not exceed 75 feet in height, its thickness shall be as follows :—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick from the base for the height of one storey, then $17\frac{1}{2}$ inches thick for the height of the next two storeys and then 13 inches thick for the rest of its height.

If the wall exceeds 45 feet in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by $4\frac{1}{2}$ inches.

- (g) Where the wall exceeds 75 feet but does not exceed 85 feet in height, its thickness shall be as follows :—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick from the base for the height of one storey, then $17\frac{1}{2}$ inches thick for the height of the next three storeys, and then 13 inches thick for the rest of its height.

If the wall exceeds 45 feet in length, it shall be increased in thickness in each of the storeys by $4\frac{1}{2}$ inches.

16. Every person who shall erect a new public building or a new building of the warehouse class or a new building designed to be used as a hotel, lodging house or boarding house shall construct every external wall and every party wall of such building being a wall of stone, concrete or brick in accordance with the following conditions and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed, and such walls shall be built of good bricks not less than 9 inches long or of solid concrete :—

In the case of a store of one storey only, all the walls of which are constructed of solid cement concrete, and are not more than 12 feet in height, and the span of the roof of which is not more than 12 feet in width, such walls shall be 6 inches thick.

In all other cases

- (a) Where the wall does not exceed 25 feet in height (whatever is its length) it shall be 13 inches thick at its base.

- (b) Where the wall exceeds 25 feet but does not exceed 35 feet in height it shall be at its base of the thickness following :—

If the wall does not exceed 45 feet in length it shall be 13 inches thick at its base:

If the wall exceeds 45 feet in length it shall be $17\frac{1}{2}$ inches thick at its base.

- (c) Where the wall exceeds 35 feet, but does not exceed 45 feet in height, it shall be at its base of the thickness following :—

If the wall does not exceed 35 feet in length, it shall be 13 inches thick at its base :

If the wall exceeds 35 feet but does not exceed 45 feet in length, it shall be $17\frac{1}{2}$ inches thick at its base :

If the wall exceeds 45 feet in length, it shall be $22\frac{1}{2}$ inches thick at its base.

- (d) Where the wall exceeds 45 feet but does not exceed 55 feet in height, it shall be at its base of the thickness following :—

If the wall does not exceed 35 feet in length, it shall be $17\frac{1}{2}$ inches thick at its base :

If the wall exceeds 35 feet but does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick at its base.

If the wall exceeds 45 feet in length it shall be 27 inches thick at its base.

- (e) Where the wall exceeds 55 feet but does not exceed 65 feet in height it shall be at its base of the thickness following :—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick at its base.

If the wall exceeds 45 feet in length it shall be 27 inches thick at its base.

- (f) Where the wall exceeds 65 feet but does not exceed 75 feet in height it shall be at its base of the thickness following :—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick at its base.

If the wall exceeds 45 feet in length it shall be increased in thickness from the base up to within 16 feet from the top of the wall by $4\frac{1}{2}$ inches.

- (g) Where the wall exceeds 75 feet but does not exceed 85 feet in height it shall be at its base of the thickness following :—

If the wall does not exceed 45 feet in length it shall be $22\frac{1}{2}$ inches thick at its base.

If the wall exceeds 45 feet in length it shall be increased in thickness from the base up to within 16 feet from the top of the wall by $4\frac{1}{2}$ inches.

- (h) The thickness of the wall at the top, and for 16 feet below the top shall be 13 inches and the intermediate parts of the wall between the base and 16 feet below the top shall be built solid throughout the space between straight lines drawn on each side of the wall and joining the thickness at the base to the thickness at 16 feet below the top. Nevertheless in walls not exceeding 30 feet in height the walls of the topmost storey may be $8\frac{1}{2}$ inches thick, provided the height of that storey does not exceed 11 feet.
- (i) If any storey exceeds in height fourteen times the thickness prescribed for its walls the thickness of each external wall and of each party wall throughout that storey shall be increased to one fourteenth part of the height of the storey and the thickness of each external wall and of each party wall below that storey shall be proportionately increased.
- (j) Every external wall and every party wall of any storey which exceeds 11 feet in height shall be not less than 13 inches in thickness.
- (k) Where by any of the foregoing rules relating to the thickness of walls and of new buildings a certain thickness is required this thickness may with the consent of the Town Clerk be confined to piers properly distributed, of which the collective widths shall amount to one seventh part of the length of the wall. The width of the piers may nevertheless be reduced if the projection is proportionately increased, the horizontal sectional area not being diminished; but the projection of any such pier shall in no case exceed one third of its width.

17. Nothing contained in these rules shall prevent the erection of concrete, brick or stone walls of lesser thickness if supported by steelwork or other adequate supports or of concrete walls of lesser thickness provided that they are sufficiently reinforced to the satisfaction of the Town Clerk.

18. *Cross Walls.* Subject to Rule 3 hereof, the thickness of every cross wall shall be at least two thirds the thickness prescribed by these Rules for an external wall or party wall of the same height and length and belonging to the same class of building but, subject to Rule 16 (k) shall in no case be less than six inches or in the case of a brick wall $8\frac{1}{2}$ inches.

If such wall shall support any superincumbent external wall the whole of such cross wall shall be of the thickness prescribed by the Rule in that behalf for an external wall or a party wall of the same height and length and belonging to the same class of building as that to which such cross wall belongs.

19. Subject to Rule 3 hereof, every person who shall erect a new building and shall leave in any storey or storeys of such building an extent of opening in any external wall which shall be greater than one half of the whole extent of the vertical face or elevation of the wall or walls of the storey or storeys in which the opening is left shall construct:—

- (a) sufficient piers of stone or brickwork or other sufficient supports of incombustible material so disposed as to carry the superstructure; and
- (b) a sufficient pier or piers or other sufficient supports of that description at or within 3 feet of the corner of the building.

20. Every person who shall erect a new building of the warehouse class, or a new domestic building which may according to the original application and plans therefor be intended to be used as a shop or a place of habitual employment for any person or as a dwelling house shall cause every party wall of such building to be carried up nine inches at least measured at right angles to the slope of the roof above such part of any roof as is opposite to and within 4 feet from the party wall.

21. No party wall shall be constructed so that any opening shall be made or left in such wall except by consent of the Town Clerk.

22. A person who shall erect a new building shall not place in any party wall of such building any bond timber or any wood plate.

23. A person who shall erect a new building shall not place the end of any bressummer beam or joist in any party wall unless the end of such bressummer, beam or joist be at least six inches distant from the centre line of such party wall.

24. Every person who shall erect a new building shall cause every bressummer to be borne by a sufficient template of stone iron or good concrete the full breadth of the bressummer and to have a bearing in the direction of its length of four inches at least at each end.

25. He shall also cause such bressummer to have, if necessary, such storey posts, iron columns, stanchions or piers of stone on a solid foundation under the same as may be sufficient to carry the superstructure. At each end of every metallic bressummer a space shall be left

equal to one quarter of an inch for every ten feet and also for any fractional part of ten feet of the length of such bressummer to allow for expansion.

26. A person who shall erect a new building shall not fix in such building any pipe for the purpose of conveying smoke or other products of combustion unless such pipe be so fixed at the distance of 12 inches at least from any combustible substance.

27. Every person who shall erect a new building shall cause the roof of such building and every turret, dormer or other erection placed on the flat or roof of such building to be externally covered with tiles, metal, or other incombustible material, except as regards any door, window, lantern light or sky light.

No person shall be prohibited under the above Rule from using shingles as a roof covering provided that any part of such building so covered shall be at least 100 feet distant from any part of any other building or from the boundary of any adjoining plot.

28. A building erected upon a plot or sub-plot which abuts upon a street and having its frontage upon such street shall be so erected that any straight line drawn in the direction of such building from any point on the farther boundary of such street (such point being taken on the same level as the mean ground level of the nearest wall of such building) so as to form an angle of 45 degrees with a straight line drawn from such point to the base of such nearest wall shall pass entirely above the whole of such building. A building erected upon a plot or sub-plot which abuts upon a street of a less width than 50 feet and having its back upon such street shall be so erected that no part of such building being 20 feet or more above the mean level of the ground on which it stands shall be less than 40 feet distant from the nearest point at the same level on the opposite boundary of the street.

For the purposes of this Rule a building shall be held to have a frontage or back upon a street if a line drawn at right angles to the frontage or back line of such building from any point thereon so as not to pass through or over such building would if produced towards such street cross the same, without passing over any plot or sub-plot except that upon which such building stands.

Open Spaces.

29. A dwelling house shall not be so erected, added to or altered that more than two-thirds of the plot or sub-plot on which it stands shall be built over: and no erection of any kind whatever shall be so erected, added to or altered upon any plot or sub-plot upon which a dwelling house stands that more than two-thirds of such plot or sub-plot shall be built over.

30. Where the only open space upon which any room shall abut is an internal open space or courtyard such internal open space shall have an area equal to not less than one eighth of the aggregate floor area of all the rooms in any one storey abutting thereon, and shall be kept free from all erections and open to the sky and open to access from a public way by a passage which shall be at least 4 feet in width along its entire length and the solum of which shall also be kept free from all erections whatever. And all buildings abutting on an internal open space shall be so erected that a line drawn from the guttering of the roof at any point to any point on the base of a wall opposite shall form an angle of not more than 45 degrees with the ground.

31. Every person who shall erect a new domestic building shall construct in the wall of each storey of such building which shall immediately front or abut on such open spaces as, in pursuance of the Rules in that behalf, shall be provided in connection with such building, a sufficient number of suitable windows, in such a manner and in such a position that each of such windows shall afford effectual means of ventilation by direct communication with the external air.

32. Every person who shall construct a new domestic building shall so construct every floor of a room therein as to be effectually protected against damp.

33. Every person who shall erect a new domestic building shall construct in every habitable room of such building one glazed window, at the least, opening directly into the external air, and he shall cause the total area of such window, or, if there be more than one, of the several windows, clear of the frames to be equal at the least to one eighth of the floor area of such room. Such person shall also construct every such window so that one half at the least, may be opened, and so that the opening may extend in every case to the top of the window.

34. Every person who shall erect a new domestic building shall cause every habitable room of such building which is without a fireplace and a flue, to be provided with adequate means of ventilation to the satisfaction of the Town Clerk.

35. Every person who shall erect a new domestic building shall so construct every room which shall be situated in the lowest storey of such building, and shall be provided with a boarded floor, that there shall be for the purpose of ventilation between the under side of every joist on which such floor may be laid and the upper surface of the ground or of the asphalt or concrete with which such ground is covered a clear space of nine inches at the least in every part, and he shall cause such space to be thoroughly ventilated by means of suitable and sufficient ventilators to the satisfaction of the Town Clerk.

36. Every person who shall erect a new public building shall cause such building to be provided with means of ventilation which shall be adequate in the opinion of the Town Clerk.

37. Every room designed for human habitation shall over its entire area be at least 10 feet in height from floor to ceiling or roof.

38. Every room designed for human habitation shall have a superficial area, in the case of native quarters, of at least 48 square feet and in all other cases, of at least 100 square feet.

With respect to the Structure of the Floors of New Buildings.

39. Every person who shall erect a new building, shall, as regards the structure of every floor of such building, comply with such of the following conditions as may be applicable to such building that is to say :—

Joists.

1. He shall, in the construction of the floor of a domestic building, cause every common bearing joist to be of not less than the size and strength following :—
 - (a) If the joist does not exceed 3 feet 4 inches in clear bearing, it shall be 4 inches in depth and 2 inches in thickness.
 - (b) If the joist exceeds 3 feet 4 inches and does not exceed 5 feet 4 inches in clear bearing, it shall be 5 inches in depth and 2 inches in thickness.
 - (c) If the joist exceeds 5 feet 4 inches and does not exceed 7 feet 4 inches in clear bearing, it shall be 7 inches in depth and 2 inches in thickness.
 - (d) If the joist exceeds 7 feet 4 inches and does not exceed 9 feet 4 inches in clear bearing, it shall be 7 inches in depth and 3 inches in thickness.
 - (e) If the joist exceeds 9 feet 4 inches and does not exceed 13 feet 4 inches in clear bearing, it shall be 9 inches in depth and 3 inches in thickness.
 - (f) If the joist exceeds 13 feet 4 inches and does not exceed 14 feet 4 inches in clear bearing, it shall be 9 inches in depth and 4 inches in thickness.
 - (g) If the joist exceeds 14 feet 4 inches and does not exceed 16 feet 4 inches in clear bearing, it shall be 10 inches in depth and 4 inches in thickness.

Trimmer and Trimming Joists.

- (h) A trimmer joist shall not receive more than 5 common joists and the thickness of a trimming joist receiving a trimmer at not more than 3 feet from one end, and of every trimmer joist receiving not more than 5 common joists, shall be 1 inch greater than the thickness hereinbefore specified for a common joist of the same bearing.

Beams.

2. He shall in the construction of the floor of a domestic building, cause every beam or girder of such floor, which is not used to support any wall, pier, or other similar structure, to be of not less than the size and strength following :—
 - (a) If the beam exceeds 8 feet and does not exceed 10 feet in clear bearing, it shall be 12 inches in depth and 9 inches in thickness.
 - (b) If the beam exceeds 10 feet and does not exceed 12 feet in clear bearing, it shall be 13 inches in depth and 10 inches in thickness.
 - (c) If the beam exceeds 12 feet and does not exceed 14 feet in clear bearing, it shall be 15 inches in depth and 11 inches in thickness.

Warehouse Buildings.

JOISTS.

3. He shall in the construction of the floor of a building of the warehouse class cause every common bearing joist to be of not less than the size and strength following :—
 - (a) If the joist does not exceed 3 feet in clear bearing, it shall be 4 inches in depth and 2 inches in thickness.
 - (b) If the joist exceeds 3 feet and does not exceed 4 feet in clear bearing, it shall be 5 inches in depth and 2 inches in thickness.
 - (c) If the joist exceeds 4 feet and does not exceed 5 feet in clear bearing, it shall be 6 inches in depth and 2 inches in thickness.
 - (d) If the joist exceeds 5 feet and does not exceed 6 feet in clear bearing, it shall be 6 inches in depth and 3 inches in thickness.

- (e) If the joist exceeds 6 feet and does not exceed 7 feet in clear bearing, it shall be 8 inches in depth and 3 inches in thickness.
- (f) If the joist exceeds 7 feet and does not exceed 8 feet in clear bearing, it shall be 9 inches in depth and 3 inches in thickness.
- (g) If the joist exceeds 8 feet and does not exceed 10 feet in clear bearing, it shall be 10 inches in depth and 3 inches in thickness.
- (h) If the joist exceeds 10 feet and does not exceed 12 feet in clear bearing, it shall be 12 inches in depth and 3 inches in thickness.

Trimming and Trimmer Joists.

- (i) A trimmer joist shall not receive more than 5 common joists, and the thickness of a trimming joist receiving a trimmer at not more than 3 feet from one end shall be $1\frac{1}{2}$ inches greater than the thickness hereinbefore specified for a common joist of the same bearing; and the thickness of a trimmer joist receiving not more than 5 common joists, shall, for every such joist, be increased by one quarter of an inch additional to the thickness hereinbefore specified for a common joist of the same bearing.

Beams.

4. He shall in the construction of the floor of a building of a warehouse class, cause every beam or girder of such floor which is not used to support any wall, pier or other similar structure to be of not less than the size and strength following:—
- (a) If the beam exceeds 8 feet and does not exceed 10 feet in clear bearing, it shall be 15 inches in depth and 11 inches in thickness.
 - (b) If the beam exceeds 10 feet and does not exceed 12 feet in clear bearing, it shall be 17 inches in depth and 12 inches in thickness.
 - (c) If the beam exceed 12 feet and does not exceed 14 feet in clear bearing, it shall be 18 inches in depth and 13 inches in thickness.

General Rules.

40. The requirements of the preceding rule relating to the structure of floors shall be subject to the following conditions, that is to say:—

- (1) The sizes prescribed for the timbers mentioned in the foregoing rule shall represent the least size and strength which any such timber may have at any part.
- (2) Every beam and joist shall be laid and fixed on edge, its greatest side being in a vertical position or nearly so as may be requisite, and when laid and fixed in such position, the distance between the upper and lower surface thereof shall for the purposes of this rule be deemed to be the depth thereof.
- (3) In calculating the size and strength required for any beam or other timber intended to be of a strength equal to or greater than that of any particular beam or other timber of the same length and of the dimensions specified in the rule in that behalf, the following method shall be adopted:—
 In both cases the number of inches in the depth of such beam or other timber shall be multiplied by itself and the product shall be multiplied by the number of inches in the breadth. The number thus obtained shall be taken to represent the proportionate strength of such beam or other timber.
- (4) The Rules relating to the joists and beams in floors are applicable only to floors formed of joists laid on edge in the ordinary way and covered with boards.
- (5) In the case of a framed floor, or of a floor formed with beams at short distances apart, and covered with battens, deals or planks, without joists, the several timbers of such floors shall be of such size and strength as to secure due stability.
- (6) The Rules relating to joists and beams in floors are applicable only to joists laid at distances of not more than 15 inches apart, measured from the middle of one joist to the middle of the next, and to beams laid at a distance of not more than 10 feet apart, measured from the middle of one beam to the middle of the next.
 - (i) Provided that in the case of a floor formed of beams of greater dimensions than the respective dimensions specified, such beams may be laid and fixed at a proportionately greater distance apart than 10 feet and
 - (ii) In the case of a floor formed of joists or beams of less dimensions than the respective dimensions specified, or of timber of inferior quality, such joists or beams shall be laid and fixed at a proportionately less distance apart than 15 inches and 10 feet respectively.

- (7) All joists which exceed 8 feet in span shall have herringbone or solid strutting constructed between them.

With Respect to Floors and Staircases of Public Buildings.

41. Every person who shall erect a new public building shall construct the floor of every lobby, corridor, passage and landing, and every flight of stairs in any staircases in such building, and all the supports of every such floor and flight of stairs, of stone or other incombustible and fire resisting material, and of adequate strength,

Provided always that the foregoing requirements shall not apply to the floor of a lobby, corridor or passage, or landing, or to any flight of stairs designed to be used otherwise than as means of access to any part of a public building intended to be used for any public purpose.

42. Concrete floors of public buildings formed of armoured concrete shall be supported by steel, iron or reinforced concrete girders or, in the case of a ground floor, upon dwarf walls and in all cases full particulars of the system of reinforcement shall be submitted.

This Rule applies to Portland cement concrete floors with gravel or broken stone aggregates in which the volume of cement is not less than one seventh of the whole and which are strengthened by steel rods, wire netting or expanded metal placed not more than one sixth of the depth from the lower side.

Where temporary shoring or centring is used it shall not be struck until the concrete is thoroughly set.

With Respect to the Drainage of Buildings.

43. Every person who shall erect a new building shall cause the sub-soil of the site of such building to be effectually drained to a suitable outfall where such exists, wherever the dampness of the site renders such a precaution necessary in the opinion of the Medical Officer of Health.

44. Every person who shall erect a new building shall for the purpose of carrying from the roof or flat of such building all water which may fall thereon, provide suitable gutters and shall cause a suitable pipe or trunk, extending from the roof to the ground to be fixed in such a manner as to receive all water that may fall on the roof, and shall cause such water to be carried by means of an approved drain to the nearest public drain if within 20 yards.

45. A person shall not so construct a building or a drain that the drain shall run beneath the building or any part thereof, provided that nothing herein contained shall be held to apply to a drain carried under any archway over a passage, such archway being 7 feet or more in height at its highest point.

46. The Town Clerk shall have power upon conviction of the owner or of an occupier of any plot or sub-plot which may have been built upon for any nuisance in connection therewith, or upon the written advice of the Medical Officer of Health, to call upon the owner of such plot or sub-plot to pave any open space therein with stone or cement concrete to the satisfaction of the Town Clerk and that within a period to be specified in the notice, and any person failing to comply with the terms of such notice, shall be guilty of an offence against these Rules, and upon conviction of such person the Town Clerk may enter upon the premises and undertake the prescribed work and may recover all expenses connected therewith from the person in default.

47. The following provisions shall apply to any area of the Township to which the Governor of the Protectorate may declare the same to be applicable and that from the date of notice to that effect published in the "Official Gazette," and so long as such notice shall remain in force, with respect to every building that shall be erected after the date of such notice, viz:—

- (a) The foundation walls of every building shall be of concrete or of brick or of stone laid in cement mortar or some equally rat-proof material, shall extend at least 1 foot above the surface soil, and shall be at least 8 inches thick at the top; and where openings are necessary for ventilation or other purposes, such openings shall be made rat-proof by suitable metal screens.
- (b) The full floor area under all buildings shall be entirely covered by concrete at least $1\frac{1}{2}$ inches thick, except where and in so far as the surface of the soil is composed of rock, or where the soil is of the variety known as black cotton, in which latter case such floor area shall be entirely covered with slabs either of good cement concrete at least 3 inches in thickness of the following composition, viz:—Good Portland cement, sand and broken stone or washed murrum gauged in the proportion of 1, 2 and 4, respectively, the aggregate to be broken to a gauge of not more than $\frac{3}{4}$ inch;—or of good cement concrete at least $1\frac{1}{2}$ inches in thickness of the same composition

and reinforced with good wire netting with a mesh not exceeding 1 inch in diameter. Such slabs shall in no case be larger than 2 feet square and shall be capable in every case of resisting a crushing load of 900 lbs. to the square inch.

Earth Closets.

48. A person who shall construct an earth closet shall not construct such earth closet within 10 feet of any kitchen, he shall construct such earth closet in such a manner and in such a position as to afford ready means of access to such earth closet, for the purpose of cleansing such earth closet and of removing filth therefrom, and in such a manner and in such a position as to admit of all filth being removed from such earth closet, and from the premises to which it may belong, without being carried through any dwelling-house or public building, or any building in which any person may be, or which may be intended to be employed in any manufacture, trade or business.

49. Every person who shall construct an earth closet in connection with a building shall provide such earth closet with an opening for light and ventilation of not less than $1\frac{1}{2}$ square feet as near to the top as convenient, and communicating directly with the external air.

50. No person shall construct an earth closet otherwise than in accordance with a standard pattern approved by the Town Clerk or with plans and specifications submitted to and approved by him.

51. Every person who shall construct an earth closet shall construct the seat, if any, of such earth closet, the aperture in such seat, and the space beneath such seat, of such dimensions as to admit of a moveable receptacle for filth of a capacity not exceeding 2 cubic feet, being placed and fitted beneath such seat in such a manner and in such a position as may effectually prevent the deposit upon the floor or sides of the space beneath such seat or elsewhere than in such receptacle, of any filth which may from time to time fall or be cast through the aperture in such seat. For this purpose every closet shall be provided with stops to keep the bucket in its correct position beneath the aperture.

52. Every person who shall construct an earth closet shall construct the seat, if any, of such earth closet to rest upon iron brackets or piers formed of non-absorbent material and so that the whole of such seat or a sufficient part thereof may be lifted into a vertical position so as to afford adequate access to the space beneath such seat for the purpose of cleansing such space, or of removing therefrom or placing and fitting therein the appropriate receptacle for filth, or shall otherwise provide adequate means of access to such space for the purposes aforesaid.

Native Quarters.

53. Every person who shall erect a building designed to be occupied by natives shall construct such building so that it shall comply with the following provisions:—

- (a) Such building shall not be erected within 10 feet of any domestic building or building of the warehouse class.
- (b) Where the walls and roof of such quarters shall be covered with combustible materials they shall be at least 20 feet from any domestic building or building of the warehouse class.
- (c) The upper surface of the floor shall be at least 4 inches above the mean level of the surrounding ground.
- (d) The height of such building shall not be less than ten feet measured from the upper surface of the floor to half the vertical height of the roof except in the case of a grass hut.
- (e) Each compartment shall have a superficial area of not less than 48 square feet and be provided with at least 3 square feet of ventilation as near to the top as convenient.

Giving of Notices, Deposit of Plans, etc.,

54. Every person who shall intend to erect a building or to alter or to make any addition to a building shall give to the Town Clerk notice in writing in the prescribed form of such intention which shall be delivered or sent to him at his office and shall at the same time deliver or send or cause to be delivered or sent to him complete plans and sections of every floor and the front elevation of such intended building, which shall be drawn and coloured on tracing linen to a scale of not less than one inch to every eight feet, and shall show the position, form and dimensions of the several parts of such building, alteration or addition and of every closet, and all other appurtenances and in which the building shall be so described as to show whether it is intended to be used as a dwelling house or otherwise, and shall furnish any further particulars that the Town Clerk may deem necessary. Any plans deposited in compliance with this Rule shall remain the property of the Municipal Committee.

55. Such person shall at the same time deliver or send, or cause to be delivered or sent to the Town Clerk a description in writing of the materials of which it is intended that such building or addition shall be constructed and of the intended mode of drainage and means of water supply.

56. Such person shall at the same time deliver or send or cause to be delivered or sent to the Town Clerk a coloured block plan of such building or addition which shall be drawn on tracing linen to a scale of not less than one inch to every forty feet, and shall show the position of the buildings, additions and appurtenances and of the properties immediately adjoining, the width of the streets if any, in front and at the rear of such building or passages, and the width of all streets and passages abutting on the plot.

57. Such person shall likewise show on such plan the intended lines of drainage of such building and of any public sewer or drain to which such drainage shall connect.

58. Such person shall sign such plans and sections or cause the same to be signed by his duly authorised agent.

59. So soon as the Town Clerk is satisfied that such plans do not contravene any of the conditions set forth in these rules, and are in other respects satisfactory, he shall signify the approval of the Municipal Committee in writing under his hand.

60. The Town Clerk may disapprove of any plans on any of the following grounds :—

- (a) that they show a contravention of any Township Rules.
- (b) that the proposed drainage is not satisfactory in the opinion of the Municipal Committee.
- (c) that sufficient facilities for access of sanitary carts are not provided for in the opinion of the Municipal Committee.
- (d) in the case of a new building to be erected on a plot on which a building or buildings already stand, that no scheme of subdivision has been sanctioned by Government, or that such new building is not in conformity with a scheme of subdivision which has been so sanctioned.
- (e) that the site upon which it is proposed to build is in the opinion of the Medical Officer of Health unfit for human habitation.
- (f) where latrine accommodation or native servants' quarters are considered necessary by the Municipal Committee, that no provision or inadequate provision is shown therefor.

61. In any case where the Town Clerk is satisfied that any building, though the plan thereof is not open to disapproval on any of the grounds specified in Rule 60 hereof is nevertheless likely or liable to be or become objectionable on sanitary grounds or otherwise in any way, the Town Clerk shall have power to withhold approval of such plan until the applicant shall have entered into such covenants binding him and his successors to do or to refrain from doing specified acts or things, as the Town Clerk may consider necessary to ensure that such building shall not so be or become objectionable and shall if required have procured such covenants endorsed upon his title deeds at his own expense and to the satisfaction of the Town Clerk.

62. No person shall begin to erect any building or execute any such work as is described in Rule 51, until he has given notice of his intention as hereinbefore required to erect such building or execute such work and the Town Clerk has either intimated approval of such building or work or failed to intimate disapproval thereof within the period hereinafter prescribed in that behalf.

63. Every person who shall erect a building, or execute any work to which any of the rules relating to building may apply, shall deliver or send, or cause to be delivered or sent to the Town Clerk, notice in writing, upon the day such person begins to erect such building or to execute such work.

64. Subject to Rule 61 hereof, if within 30 days of the receipt of any plans or notice or further particulars delivered in accordance with these Rules, the Town Clerk shall fail to intimate to the person submitting such plans his disapproval of the building or work which the said person intends to erect, the person submitting the plans may proceed with such building or work in accordance with the plans but not so as to contravene any of the provisions of these Rules or any amendments thereof in force for the time being.

65. Such person shall before proceeding to lay or cover up any foundation footings or any damp proof course of a building, deliver or send, or cause to be delivered or sent to the Town Clerk, notice in writing, in which shall be specified the date on which such person will proceed to cover up such foundation footings or damp proof course.

66. If such person neglect or refuse to deliver or send any such notice, or to cause any such notice to be delivered or sent as aforesaid and if the Town Clerk or other person duly authorised by the Municipal Committee on inspecting any work in connection with such building or such other work as aforesaid, finds that such work is so far advanced that he cannot ascertain whether anything required by any Rule relating to buildings has been done or omitted to be done, and if, within a reasonable time after such survey or inspection such person shall by notice in writing under the hand of the Town Clerk or such other authorised person be required within a reasonable time which shall be specified in such notice, to cause so much of such work as prevents the Town Clerk or such other authorised person from ascertaining whether anything has been done or omitted to be done as aforesaid to be cut into laid open or

pulled down to sufficient extent to enable the Town Clerk or other authorised person to ascertain whether anything has been done or omitted to be done as aforesaid, such person shall within the time specified in such notice cause such work to be cut into, laid open, or pulled down.

67. If any person who is entitled to proceed with any building or work under Rules 59, 64, or 80 fails to do so within the period of one year the notice given by him shall be held to have lapsed and he shall give fresh notice of his intention before proceeding to erect such building or execute such work and that in the manner hereinbefore prescribed, provided always that if such building or work is not completed within two years from the date when the Town Clerk shall have intimated that the deposited plans have been approved, the person shall in every case submit a fresh application for permission to proceed.

68. In every case where a person who shall erect a building, or shall execute any other work to which the Rules relating to buildings may apply shall, at any reasonable time during the progress or after the completion of the laying out or the erection of such building or the execution of such work receive from the Town Clerk notice in writing specifying any matters in respect of which the erection of such building, or the execution of such work may be in contravention of any Rule relating to buildings or may show a deviation from the plan thereof as passed by the Town Clerk and requiring such person within a reasonable time which shall be specified in such notice to cause anything done contrary to any such Rule to be amended or to do anything which by any such Rule may be required to be done but which has been omitted to be done, such person shall, within the time specified in such notice, comply with the several requirements thereof provided that nothing contained in this Rule shall be held to affect the liability of such person to prosecution for breach of any of these Rules.

69. Such person, within a reasonable time after the completion of any work which may have been executed in accordance with any such requirements, shall deliver or send, or cause to be delivered or sent to the Town Clerk notice in writing of the completion of such work, and shall, at all reasonable times within a period of 7 days after such notice shall have been so delivered or sent, afford to any party deriving authority from the Municipal Committee free access to such work for the purpose of inspection.

70. Every person who shall erect a building or shall alter a building in regard to any matter as to which a Rule was in force when such building was first erected or shall execute any other work to which any of the Rules relating to buildings shall apply, shall, at all reasonable times during the erection of such building or the execution of such work, afford to any party deriving authority from the Municipal Committee free access to such building or work for the purpose of inspection.

71. Every person who shall erect a building or make any alteration or addition to a building shall, within a reasonable time after the completion of the erection of such building or alteration or addition deliver or send, or cause to be delivered or sent to the Town Clerk at his office, notice in writing, of the completion of the erection or alteration of such building, and shall at all reasonable times, within a period of 48 hours after such notice shall have been so delivered or sent, and before such building shall be occupied afford to the Town Clerk or to any party deriving authority from the Municipal Committee free access to every part of such building for the purpose of inspection.

72. A person shall not occupy or suffer to be occupied any new domestic building until such building shall after examination have been certified by an officer of the Municipal Committee, to be in his opinion in every respect fit for human habitation and erected in accordance with the approved plans and the Township Rules, unless special permission shall have been granted by the Town Clerk for the occupation of the whole or any part of such building.

73. Where any building has been erected, no person shall alter such building in such a way that the same as altered, would, if at first so constructed have contravened any of these Rules, or shall except with the written permission of the Town Clerk and except upon such terms as he may prescribe use or (being the owner thereof) suffer such building to be used otherwise than for the purposes specified or indicated in the original application and plans in respect thereof.

Fire Escapes, etc.

74. Every building over 45 feet high and every public building shall be provided with proper means of escape in case of fire, and with chemical fire extinguishers of such a number and design as shall be approved by the Town Clerk.

In the case of public buildings, each exit, passage and staircase shall be 3 feet 6 inches wide for every 100 persons to be discharged by such exit, passage or staircase and all doors and barriers shall be made to open outwards and no outside locks or bolts shall be affixed thereto.

Encroaching Structures &c.

75. No person shall, without the written consent of the Town Clerk, and except upon such terms as he may prescribe, erect, set up, place or hang against or in front of any premises, any structure or fixture or thing, whether fixed or detachable which will overhang, jut, or project into, or in any way encroach upon any street, or jut or project into, or encroach upon any drain or open channel in any street, so as in any way to interfere with the use or proper working of such drain or channel, or to impede the inspection or cleaning thereof.

The Town Clerk may by written notice require the owner or occupier of any premises to remove any structure, fixture or thing which has been erected, set up, placed or hung against or in front of the said premises or otherwise in contravention of these Rules, or to alter the same in such manner as the Town Clerk thinks fit to direct.

If the occupier of the said premises removes or alters any structure, fixture or thing in accordance with such notice, he shall be entitled, unless the structure, fixture or thing was erected, set up, placed or hung by himself, to credit in account with the owner of the premises for all reasonable expenses incurred by him in complying with the said notice.

Hoardings.

76. Every person who shall erect or make any alteration to a building, shall erect and maintain during the execution of the work such hoardings as shall be necessary in the opinion of the Town Clerk for the protection of the public, provided that no hoarding shall be erected in any street except with the written permission of the Town Clerk or otherwise than in accordance with plans lodged with and approved by him.

Sanitary Lanes.

77. No building shall unless with the written permission of the Town Clerk be so erected added to or altered as to have a frontage upon a sanitary lane or passage.

For the purposes of this rule:

- (a) a building shall be held to have a frontage upon a sanitary lane or passage if any straight line drawn at right angles to the frontage line of such building from any point thereon so as not to pass through or over such building would if produced towards such sanitary lane or passage cross the same without passing over any plot or sub-plot except that upon which such building stands, or if in the opinion of the Town Clerk no suitable or sufficient means of access thereto is provided except by a sanitary lane or except by a passage, provided that a side door upon a passage leading into a street other than a sanitary lane shall be deemed a suitable and sufficient access if the distance from such door to the street shall be not more than one third of the distance from such door to any sanitary lane into which such passage leads.
- (b) the Town Clerk shall have powers in every case to determine whether any street is a sanitary lane or passage and his decision shall be final, provided that no street measuring 40 feet or more in width shall in any circumstances be deemed to be a sanitary lane or passage.

As to the power of the Municipal Committee to remove, alter or pull down any work begun or done in contravention of the Rules.

78. If any work to which any of the foregoing Rules may apply be begun or done in contravention of any such Rule, or otherwise than in accordance with the plans thereof as passed by the Town Clerk, the person by whom such work shall be so begun or done may be required by a notice in writing, which shall be signed by the Town Clerk and shall be duly served upon or delivered to such person, on or before such day as shall be specified in such notice by a statement in writing under his hand or under the hand of an agent duly authorised in that behalf, and addressed to and duly served upon the Town Clerk to show sufficient cause why such work shall not be removed, altered, or pulled down; or may be required on such day and at such time and place as shall be specified in such notice to attend personally or by an agent duly authorised in that behalf before the Municipal Committee and show sufficient cause why such work shall not be removed, altered, or pulled down.

79. If such person shall fail to show sufficient cause why such work shall not be removed altered, or pulled down, the Municipal Committee shall be empowered to remove, alter, or pull down such work, and may recover from such person all expenses in connection therewith.

80. Notwithstanding anything contained in the foregoing Rules it shall be lawful for the Town Clerk to grant permits for temporary buildings on such obligations both as to removal thereof and otherwise and generally upon such terms as he in his free discretion may prescribe and the foregoing Rules with the exception of Nos. 4, 5, 6, 20, 26 to 38, 43, 44, 45, 47, 53 to 63, 65 and 66, all inclusive shall not apply to any building erected under such a permit unless by express stipulation, provided that no permit may be granted under this Rule for a building any of the walls of which are to be constructed wholly or partly of stone bricks or concrete.

81. If it shall come to the notice of the Medical Officer of Health that any room in any building is being used to afford sleeping accommodation for such a number of persons that there shall be less than 300 cubic feet of space in such room for each such person, the Medical Officer of Health may serve a notice upon the owner of such building calling upon him to take such measures as to ensure that such room shall not be so used and that within a time to be specified in the notice, and if such notice be not complied with within the time so specified, such owner shall be guilty of an offence against this Rule. For the purposes of this Rule a child being or appearing to be under the age of 10 years shall not be reckoned as a person, but two such children shall be reckoned as one person.

82. If it shall come to the notice of the Medical Officer of Health that any room the floor of which is below the mean level of the ground adjoining is being used for sleeping accommodation, the Medical Officer of Health may serve a notice upon the owner of the building in which such room is situated calling upon him to take such steps as to ensure that such room shall not be so used, and that within a time to be specified in the notice, and if such notice be not complied with within the time so specified such owner shall be guilty of an offence against this Rule.

83. Any person contravening or failing to comply with any of the provisions of these Rules shall be liable on conviction to a fine not exceeding Rs. 200/- and in default of payment thereof to a period of imprisonment not exceeding 60 days.

84. Rules 24 to 50 inclusive of the Township Rules 1904 shall from the date hereof cease to apply to Nairobi, and Township Rules dated 19th May, 1913 are hereby repealed.

85. These Rules shall apply to Nairobi and may be cited as "Nairobi Building Rules 1913."

86. Township Rules 1906 in so far as applying to Nairobi, are hereby amended by substitution of the words "Rule 54 of Nairobi Building Rules 1913" for the words "Rule 24 of the Township Rules 1904" where they occur in Rules 1 and 2 of the said first mentioned, Rules.

GOVERNMENT NOTICE No. 231] RULES.

Rules issued by His Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 4th day of November, 1913.

C. C. BOWRING,

Deputy Governor.

1. These Rules shall be read as one with the Nairobi Township Rules No. 2 of 1906.
2. The Town Clerk may demand from each dhobie residing in the Dhobie's Quarters a deposit of Rs. 15/- and may withhold a licence from any dhobie until such deposit shall have been paid by him.

Such deposits shall be retained as security against damage to Municipal property, and for good behaviour.

3. In the event of damage being caused to property belonging to the Municipality at the Dhobie's Quarters, the Town Clerk may confiscate either such part of the deposit of the dhobie responsible for such damage as shall be required to make good the same or such part of the total deposits of the dhobies as shall be so required, in which case the sum confiscated shall be debited to each of the dhobies in equal portions.

4. In the event of any portion of the deposit of any dhobie being so confiscated the Town Clerk shall give notice thereof to such dhobie who shall thereupon renew his deposit to the extent of the sum confiscated and in the event of his failing so to do, the Town Clerk may withdraw the licence of such dhobie and may withhold a licence from him till such deposit be so renewed.

5. On the death of any dhobie or upon his ceasing to reside in the Dhobies' Quarters the balance of his deposit shall be refunded to his representatives or to himself as the case may be

GOVERNMENT NOTICE No. 237]

NOTICE.

Permits for Kikuyu Natives to enter the Suk Country.

The District Commissioner, Baringo has been authorised by His Excellency the Governor to issue licences under the Outlying Districts Ordinance, 1902, to Kikuyu Native traders desirous of entering the Suk Country. Such licences shall be granted on condition that the holders shall deposit Rs. 50 for each party of 15 men or under as security for their good behaviour or for the observance of any conditions endorsed upon the licence.

By Order

Nairobi,
8th November, 1913.

C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 239]

RULES.

Under the East Africa Townships Ordinance, 1903.

Rules issued by His Excellency the Governor under the above Ordinance.

Nairobi,
Dated this 22nd day of November, 1913.

H. C. BELFIELD.
Governor.

1. Every duly qualified Medical Practitioner attending on or called in to visit a patient within the Township shall forthwith, on becoming aware or having reason to suspect that the patient is suffering from an infectious disease, send to the Health Office a report stating the name of the patient, the situation of the building of which the patient is an inmate and the infectious disease from which, in the opinion of such Medical Practitioner, such patient is suffering.

2. There shall be paid out of the revenues of the Protectorate to a duly qualified Medical Practitioner (other than a Medical Practitioner in the service of the Government) a fee of Rs. 2 for every report furnished by him under the preceding rule.

3. In these Rules and in the Rules under the East Africa Townships Ordinance 1903, dated the 23rd day of July 1912, relating to the powers of Medical Officers in regard to infectious diseases the term "infectious disease" shall mean plague, cholera, small-pox, typhus fever, typhoid fever or enteric, scarlet fever, relapsing fever, yellow fever, epidemic cerebro-spinal meningitis, sleeping sickness, leprosy, beri-beri, yaws, diphtheria, puerperal fever, and erysipilas.

4. Rule 8 of the aforementioned Rules of July 23rd 1912, is hereby repealed.

5. These Rules shall apply to all Townships whether proclaimed before or after the coming into operation of these Rules.

GOVERNMENT NOTICE No. 240]

RULE.

The East Africa Townships Ordinance 1903.

Rule issued by his Excellency the Governor of the East Africa Protectorate under the East Africa Townships Ordinance, 1903.

Nairobi,
Dated this 25th day of November 1913.

C. C. BOWRING,
Deputy Governor.

1. Rule 1 (9) of the Rules dated the first day of July 1913 applicable to the Townships of Kismayu and Gobwen is amended by the addition of the words "excepting Rule 3 of the said Rules" after the word "Mombasa."

PROCLAMATION No. 26]

PROCLAMATION.

The Customs Ordinance, 1910.

In exercise of the powers conferred upon me by Section 53 of the Customs Ordinance, 1910, I, Charles Calvert Bowring, Deputy Governor of the East Africa Protectorate, do hereby declare that I prohibit as from the date hereof the importation of all "Automatic" and "Silenced" rifles into this Protectorate.

Nairobi,

Dated this 11th day of December, 1913.

C. C. BOWRING,

Deputy Governor.