

EAST AFRICA PROTECTORATE.

ORDINANCES AND REGULATIONS.

VOL. VIII.

January 1st to December 31st 1906.

NAIROBI.

PRINTED AT THE "GOVERNMENT PRINTING PRESS."

1906.

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AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

The 23rd day of December, 1905.

J. HAYES SADLER
His Majesty's Commissioner.

No. 1 of 1906.

Diseases of Animals,

It is hereby enacted as follows:—

1. This Ordinance may be cited as "The Diseases of animals Ordinance 1906."
 2. In this Ordinance:—
 - (1) The term "Animals" shall include all stock, camels and all other ruminating animals, dogs, and any other animals that the Commissioner by Proclamation at any time may declare to be included in this definition for the purposes of this Ordinance.
 - (2) The term "Stock" shall include cattle, sheep, goats, horses, mules, donkeys, swine and poultry.
 - (3) The term "Cattle" shall include bulls, cows, oxen, heifers and calves.
 - (4) The term "Disease" shall include cattle plague, (rinderpest), anthrax, pleuro pneumonia, tuberculosis, African Coast fever, ulcerative lymphangitis, foot and mouth disease, sheep-pox, scab, swine fever, swine erysipelas, glanders, farcy, mange (scabies) in horses and mules and any other contagious or infectious disease of animals.
 3. (1) Every person having in his possession or charge an animal affected with disease or suspected of being affected with disease shall:—
 - (a) Keep such animals separate from animals not so affected or suspected of being so affected and cause the animals actually affected to be tied up or put in a kraal or other enclosed place.
 - (b) Forthwith give notice of the fact of the animal being affected or suspected of being affected to the nearest Administrative Officer.
 - (2) Any Administrative Officer to whom notice of any animal being affected or suspected of being affected with disease is given shall forthwith notify the nearest Veterinary Officer who shall give such directions and take such steps as may be necessary for the purposes of ascertaining the existence and nature of the disease and he shall on being satisfied that such disease exists forthwith report to the Chief Veterinary Officer.
 - (3) A Collector or Assistant Collector shall, on receipt of a report of the existence of a disease within his district, forthwith cause all owners or occupiers of farms and owners of stock in the neighbourhoods to be notified of the outbreak.
4. The Commissioner may at any time by Proclamation:—
 - (1) Declare any area within the Protectorate to be an infected area;
 - (2) Extend diminish or otherwise alter the limit of an area declared to be an infected area;

(3) Declare an infected area to be free from disease:

(4) For the purpose of preventing disease prohibit the removal of animals from one district place or area to any other district place or area.

5. The following provisions shall in the absence of other provisions made by rules under this Ordinance apply to all infected areas:—

(1) No stock shall be moved from or into any such area without the written permission of the Chief Veterinary Officer, or the Veterinary Officer or Inspector in charge of such area.

(2) No other animal shall be moved from or into any such area unless previously disinfected in the manner directed by the Veterinary Officer or Inspector in charge of the area.

(3) All stock in any such area shall be herded as far as possible from any public road.

(4) The Chief Veterinary Officer, or a Veterinary Officer in charge of such area may require the owner or person in charge of any animal or animals within such area to isolate such animal or animals from other animals within the affected area or to remove such animal or animals from the affected area.

(5) No person shall leave any such area without having complied with such reasonable precautions for preventing the spread of disease as may be required by the Veterinary Officer or Inspector in charge of the area.

(6) The carcasses of all animals dying from disease shall forthwith be either buried at the depth of not less than four feet below the surface of the ground or burnt at the expense of the owner.

6. The Commissioner may by Proclamation in the Official Gazette prohibit for such time as to him may seem necessary or regulate the importation into the East Africa Protectorate of all animals or any specified kinds of animals or of carcasses, hides, skins, hair, wool, litter, dung or fodder from any specified country, port or territory or the exportation thereof from the Protectorate.

7. The Commissioner may make rules for all or any of the following purposes.

(1) The prevention of the introduction and spread of disease in the Protectorate.

(2) The isolation, inoculation, removal and slaughter of animals suffering or suspected to be suffering from any disease.

(3) The burial or destruction of carcasses.

(4) Prescribing ports and places for the importation of animals into the Protectorate.

(5) Prohibiting or regulating the movement of animals within the Protectorate.

(6) Prescribing quarantine for imported animals or diseased animal or animals suspected of or having been in contact with animals suffering from disease.

(7) Prescribing conditions under which animals may be imported in the Protectorate.

(8) Prescribing (a) the disinfection of buildings and places wherein animals suffering from any disease have been stalled or kept;

(b) the cleansing and disinfection of public markets, private auction or sale yards, railway premises, railway vans, trucks, or carriage, wherein any stock shall have placed, kept, or carried.

(c) The disinfection of animals which have been in contact with diseased animals or which have been in an infected area.

(d) The disinfection of persons and their clothing coming into contact with or employed about diseased or suspected animals or being in an infected place.

8. A Sub-Commissioner or a Veterinary Officer may cause to be slaughtered any animal affected or suspected of being affected with any disease or any animal which has been in contact with a diseased animal or has been otherwise exposed to the infection or contagion of disease.

9. Where an animal has been slaughtered under this Ordinance or any proclamation, rule, order, or direction thereunder its carcase shall belong to the Government and shall be buried or sold or otherwise disposed of under such conditions as a Veterinary Officer shall think fit and any proceeds of sale shall be paid into the Protectorate Treasury.

10. No action shall lie against the Government, or any Officer of the Administration or any local authority for any act done in good faith under the provisions of this Ordinance or of any Proclamation, rule, or order thereunder and no compensation shall be payable to any person for any act done under the provisions of this Ordinance unless the Commissioner otherwise directs, provided that, subject to the provisions of Section 11 of this Ordinance, compensation for animals slaughtered under this Ordinance shall be paid to the owner as follows:—that is to say, where the animal was affected with disease one half of its value immediately before it became so affected but so that the compensation shall not exceed in the case of horses Rs. 300/-, in the case of mules Rs. 200/-, in the case of donkeys and camels Rs. 100/-, and in the case of other animals Rs. 50/-, and where the animal was not so affected but was suspected of being so affected the value of the animal immediately before it was

slaughtered but so that the compensation shall not exceed in the case of horses Rs. 600/-, in the case of mules Rs. 400/-, in the case of donkeys and camels Rs. 200/-, and in the case of other animals Rs. 100/-.

11. Compensation in respect of any animal slaughtered under this Ordinance may be wholly or partially withheld where the owner or person in charge of the animal has been guilty of any breach of this Ordinance or of any Proclamation, rule or order thereunder, and no compensation shall be paid in respect of any animal slaughtered if such animal was affected with disease when imported into the Protectorate or became affected before it was passed by the Inspecting Officer at the place of entry into the Protectorate or if such animal had been imported into the Protectorate in breach of this Ordinance or of any Proclamation, rule, or order thereunder.

12. (i) The Commissioner may appoint any fit persons to be inspectors for the purpose of this Ordinance.

(ii) A Sub-Commissioner, Administrative Officer Veterinary Officer or Inspector may enter any lands, building, shed, place, carriage van, or truck containing, or used for the purpose of containing, or carrying animals, and may examine the same and any animals found therein for the purpose of ascertaining whether any such animal is suffering from a contagious disease or for the purpose of ascertaining whether the Regulations in respect to the cleansing and disinfection of such building, shed, place, carriage vans, or trucks as laid down in any rule under this Ordinance have been properly carried out.

13. The Commissioner may prescribe:—

(1) Fees for examination of animals under this Ordinance. Such fees shall be levied in respect of all animals so examined except in the case of animals which have been slaughtered in consequence of such examination.

(2) Fees for the inoculation testing and disinfecting of animals for the prevention or discovery of disease.

(3) Fees and payments for feeding and stabling of animals detained in quarantine.

(4) Payments for and the recovery of all other expenses in connection with animals incurred by the Government under the provisions of this Ordinance.

14. A Sub-Commissioner may with the approval of the Chief Veterinary Officer make and publish such directions as he may think fit for regulating the movement of animals into, within and out of his Province. Provided that in cases of urgency a Sub-Commissioner may publish such directions without the approval of the Chief Veterinary Officer. In such cases the Sub-Commissioner shall inform the Chief Veterinary Officer without delay of the direction so published.

15. A person guilty of an offence under this Ordinance or committing a breach of any rule, proclamation, order or direction under this Ordinance shall be liable to a fine not exceeding Rs. 1,500/- or to imprisonment not exceeding 6 months of either kind or to both.

16. Any person obstructing a person in the lawful exercise of his duties under this Ordinance shall be guilty of an offence under this Ordinance.

17. The Diseases of Animals Ordinance 1905 (No. 2 of 1905) and all proclamations, rules, orders, directions, and notifications published thereunder or under the Cattle Disease Ordinance 1902, are hereby repealed and rescinded.

Provided as follows:—

Any Proclamation published under the repealed Ordinance in force at the date hereof whereby any area is proclaimed an infected area or whereby the movement of any animal from any district or area or place is prohibited shall remain in force until other provision is made and shall be deemed to have been made under this Ordinance.

J. HAYES SADLER

His Majesty's Commissioner.

Dated this 23rd day of December, 1905.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,
20th January, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 2 of 1906.

Game.

IT is hereby enacted as follows :—

1. Section 6 Sub-Section 1 of the "Game Ordinance 1904" is hereby repealed.
2. Every license, except a Public Officers fourteen day license, issued under the "East Africa Game Regulations 1900" or under the "Game Ordinance 1904" and unexpired on the 30th day of March 1906 shall remain in force for one year from the date of issue ; but such license shall after the first day of April 1906 be subject to the provisions of every Ordinance, Regulation, Proclamation or Rule relating to the preservation of Game which may then be in force or which may thereafter during the currency of such license come into force in the East Africa Protectorate.
3. This Ordinance may be cited as the "Game Ordinance 1906."

Nairobi,
20th January, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Mombasa,
Dated this 13th day of March 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 3 of 1906.

Transit and Re-Export Ordinance 1906.

1. This Ordinance may be cited as the "Transit and Re-Export Amendment Ordinance 1906" and shall be read as one with the "Transit and Re-Export Ordinance 1905."
2. The Transit and Re-Export Ordinance 1905 shall come into force on the first day of July 1906.
3. Section 3 of the Transit and Re-Export Ordinance 1905 is hereby repealed.

Mombasa,
Dated this 13th day of March 1906.

J. HAYES SADLER
His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,
Dated this 26th day of March, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 4 of 1906.

Notaries Public.

Whereas it is expedient that there should be persons within the East Africa Protectorate competent to exercise the functions and duties of Notaries Public; it is hereby enacted as follows;—

1. The Commissioner shall have power to direct the Registrar of the High Court to grant a license to any person belonging to either of the classes mentioned in the second section hereof, who may be recommended by the Judges of the High Court, to exercise within the British East Africa Protectorate the functions and duties commonly performed by Notaries Public of the United Kingdom and to levy fees in accordance with the second schedule hereto.

The Commissioner may direct that certain persons be licensed as Notaries Public.

2. Persons to whom a license under this Ordinance may be granted shall be either,

Barristers and Solicitors of England, Ireland & Scotland being enrolled pleaders of the High Court of the Protectorate qualified to apply for a license.

(a) Barristers-at-law of the four Inns of Court London, the Kings Inn, Dublin, and the Court of Sessions Scotland.

(b) Solicitors of the Supreme Court in England or Ireland, Writers to the signet and Solicitors of the Supreme Court in Scotland.

Provided always that such Barrister, Solicitor, or Writer to the signet shall be of not less than 5 years standing and shall be enrolled as a pleader of the High Court of the East Africa Protectorate.

3. (1) The Registrar shall on receiving from the Commissioner the directions mentioned in the Section 1 hereof, and on receiving from the person requiring to be licensed as aforesaid the fees prescribed in the first schedule hereto shall enrol the name of such person in a book which shall be kept for that purpose in the Office of the Registrar of the High Court, and shall grant to such person a certificate of enrolment, which certificate shall authorise him to perform within the British East Africa Protectorate the functions and duties of a Notary Public up to December 31st next after such certificate shall have been granted.

Notaries Public to be enrolled and to take out a certificate.

(2) The Registrar of the High Court shall at any time on receipt of the fee prescribed in the first schedule hereto grant a fresh certificate to any person whose name shall be on the roll of Notaries Public, but every certificate granted under this Ordinance shall expire on the 31st day of December next after such certificate shall have been granted.

The original certificate and every fresh certificate to expire on December 31st next after such certificate is granted.

4. His Majesty's Commissioner may order that there be removed from the roll of Notaries Public the name of any person who shall at any time cease for any cause whatsoever to be an enrolled pleader of the High Court of the East Africa Protectorate, or who shall be guilty of fraudulent or improper conduct in the discharge of his duties as a Notary Public, or who shall make any charge or demand any payment for any Notarial Acts in excess of that prescribed in the Second Schedule.

The Commissioner may in certain cases remove the name of a person from the roll.

Penalty for unlawfully practising.

5. Any person who shall hold himself out to be a Notary Public or shall receive any fee or reward as a Notary Public, except he be enrolled under this Ordinance and is the holder of a certificate then in force, shall be guilty of an offence against this Ordinance and shall be liable on conviction thereof to a fine not exceeding Rs. 300 and for a second offence to imprisonment, with or without hard labour, for any period not exceeding 6 months, in addition to, or in substitution for, a fine which may amount to Rs. 1,000, but this section shall not be construed to exempt any person from any prosecution under the provision of any law or ordinance to which he would otherwise be liable.

Power to add to or alter the second schedule.

6. The Commissioner may, at any time by Notice in "Official Gazette" alter or revoke the fees prescribed in the second schedule, and may specify the fees which may be charged in respect of any Notarial Act not specifically mentioned in the schedule and upon such notification the schedule shall be deemed to be amended accordingly.

Short title.

7. This Ordinance may be cited as the Notaries Public Ordinance 1906.

SCHEDULE I.

Fee payable on appointment as a Notary Public and for a license to practice until 31st December next after such appointment	...	...	Rs. 100 0 0
On yearly renewal of certificate	...	...	„ 30 0 0

SCHEDULE II.

1. For noting a Marine Protest and furnishing one certified copy if required	...	...	Rs. 5 0 0
2. For filing a request for survey and issuing order of survey	...	...	„ 7 8 0
3. For receiving report of survey, filing original in archives (if not exceeding 200 words) and furnishing, if required, one certified copy of request, order, and report of survey	...	...	„ 15 0 0
4. For extending Marine Protest, if not exceeding 200 words, filing original and furnishing one certified copy if required. This is to be exclusive of any fee for oaths or declarations or for drawing if required the body of the protest	...	...	„ 15 0 0
5. For any other Protest, if not exceeding 200 words filing the original and furnishing one certified copy if required. This is to be exclusive of any fee for drawing if required the body of the protest	...	...	„ 15 0 0
6. If the Protest or report of survey exceed 200 words for every additional 100 words or fraction thereof	...	...	„ 2 0 0
7. For administering an oath, or receiving a declaration or affirmation, without attestation of signature	...	...	„ 1 0 0
8. For administering an oath, or receiving a declaration of affirmation, with attestation of signature	...	...	„ 5 0 0
9. For each signature attested by a Notary Public in any document not otherwise provided for	...	...	„ 5 0 0
10. For certifying to a copy of any document or part of a document, if not exceeding 100 words	...	...	„ 5 0 0
11. For uniting documents and attaching Notary Seal to the fastening	...	...	„ 2 0 0
12. For directing search for, or obtaining, from public Record Office or elsewhere, extracts from local registers, or copies of wills, deeds, or other matters, in addition to expenses incurred and any fees for attestation	...	...	„ 5 0 0
13. For affixing Notary signature, and seal if required to any document not otherwise provided for by this table	...	...	„ 5 0 0
14. For each Notary Public seal affixed to a document packet or article, when no signature is required	...	...	„ 5 0 0
15. Any other Notarial act not specified above	...	...	„ 5 0 0

Nairobi,

Dated this 26th day of March, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 27th day of March, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 5 of 1906.

*The Procedure on the Trial of Europeans
and Americans.*

1. (1.) Every case in which an European or American is charged with any offence punishable with imprisonment which may exceed six months or with a fine which may exceed Rs. 1,000, except such case be triable summarily under Section 260 of the Indian Penal Code and the Magistrate elect to try the case in a summary way, shall be committed for trial to the Court of Session. Except in certain cases Europeans and Americans charged with offences to be tried by the Court of Session.
- (2.) Nothing in this Section shall be deemed to prevent a Magistrate from discharging an accused person if, for reasons to be recorded by such Magistrate, he considers the charge to be groundless or he finds that there are not sufficient grounds for committing the accused person for trial.
2. Every person committed to the Court of Session under this Ordinance shall be tried by a Jury composed of Europeans or Americans or both Europeans and Americans. The trial to be by Jury.
3. The Commissioner may by order fix the number of the Jury by whom any class of offence shall be tried provided that in no case shall the number of the Jury be less than five and in the absence of any such order the Jury shall consist of five persons. Power to fix the number of the Jury.
4. In any case in which an European or American is accused jointly with a person not being an European or American, and such persons are committed for trial they shall be tried together, and the procedure on the trial shall be the same as it would have been had the European or American been tried separately. Trials of Europeans and Americans when charged jointly with persons not European or American.
5. (1) When any person claims to be dealt with under this Ordinance he shall state the grounds of such claim to the Magistrate before whom he is brought for the purposes of inquiry or trial; and such Magistrate shall inquire into the truth of such statement, and allow the person making it a reasonable time within which to prove that it is true and shall then decide whether he is or is not an European or American. If any such person is convicted by such Magistrate and appeals from such conviction, the burden of proving that the Magistrate's said decision was wrong shall lie upon him. Procedure on claim of person to be dealt with as an European or American.
- (2) The question as to whether or not any person claiming to be dealt with under this Ordinance is an European or American is a question of fact for the Court, who in deciding such question

shall be guided by the consideration that it is the intention of this Ordinance that all European British subjects as defined by the Indian Criminal Procedure Code and all European subjects of other European nations, and all Americans of European extraction should come within the provisions of this Ordinance.

6. (1) If an European or American does not claim to be dealt with as such by the Magistrate before whom he is tried or by whom he is committed, or if, when such claim has been made before, and disallowed by the committing Magistrate, it is not again made before the Court to which such person is committed, he shall be held to have relinquished his right to be dealt with as such European or American and shall not assert it in any subsequent stage of the same case.
- (2) Unless the Magistrate has reason to believe that any person brought before him is not an European or American, the Magistrate shall ask such person whether he is an European or American.

7. When a person who is not an European or American is dealt with under this Ordinance and does not object, the inquiry, commitment, trial or sentence, (as the case may be) shall not by reason of such dealing, be invalid.

8. Every European or American charged with an offence, and the wife or husband, as the case may be, of the person so charged, shall be a competent witness for the defence at every stage of the proceedings whether the person so charged is charged solely or jointly with any other person :

Provided as follows :—

- (a) A person so charged shall not be called as a witness in pursuance of this Ordinance except upon his own application.
- (b) The failure of any person charged with an offence, or of the wife or husband, as the case may be, of the person so charged, to give evidence shall not be made the subject of any comment by the prosecution.
- (c) The wife or husband of the person charged shall not, save as in this Ordinance mentioned, be called as a witness in pursuance of this Act except upon the application of the person so charged.
- (d) Nothing in this Ordinance shall make a husband compellable to disclose any communication made to him by his wife during the marriage, or a wife compellable to disclose any communication made to her by her husband during the marriage.
- (e) A person charged and being a witness in pursuance of this Ordinance may be asked any question in cross examination notwithstanding that it would tend to criminate him as to the offence charged.
- (f) A person charged and called as a witness in pursuance of this Ordinance shall not be asked, and if asked shall not be required to answer, any question tending to show that he has committed or been convicted of or been charged with any offence other than that wherewith he is then charged, or is of bad character unless :—
- (i) The proof that he has committed or been convicted of such offence is admissible evidence to show that he is guilty of the offence wherewith he is then charged ; or
- (ii) He has personally or by his advocate asked questions of the witnesses for the prosecution with a view to establishing his own good character, or the nature or conduct of the defence is such as to involve imputation on the character of the prosecutor or the witnesses of the prosecution ; or
- (iii) He has given evidence against any other person charged with the same offence.
- (g) Every person called as a witness in pursuance of this Ordinance unless otherwise ordered by the Court shall give his evidence from the witness box or other place from which the other witnesses have given their evidence.
- (h) Nothing in this Ordinance shall affect the provisions of the Indian Procedure Code with regard to the examination of an accused person or the right of the person charged to make a statement.

Failure to claim to be dealt with as an European or American a waiver.

Trial under this Ordinance of person not an European or American.

Every European or American charged with an offence and the wife or husband of the person charged a competent witness.

9. Where the only witness to the facts of the case called by the defence is the person charged, he shall be called as a witness immediately after the close of the evidence for the prosecution. Evidence of person charged.

10. In case where the right of reply depends upon the question whether evidence has been called for the defence, the fact that the person charged has been called as a witness shall not of itself confer on the prosecution the right of reply. Right of reply.

11. In any enquiry or trial in which the wife or husband of a person accused of an offence might be called as a witness for the prosecution under any law in force before the making of this Ordinance the wife or husband may be called as a witness for the prosecution or defence and without the consent of the person charged. Calling of the wife or husband in certain cases.

12. The procedure prescribed by the Indian Criminal Procedure Code as applied to the Protectorate, shall be followed in every inquiry, trial or sentence in every case in which an European or American is the person or one of the persons accused, except in so far as such procedure is repugnant to this Ordinance. The Indian Procedure Code.

13. This Ordinance may be cited as the Criminal Procedure Ordinance 1906. Short title.

Nairobi,
Dated this 27th day of March, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

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

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,
Dated this 27th day of March, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 6 of 1906.

Native Oaths.

1. Any native, not being a Christian or Mahomedan, required by law to take an oath shall take the oath in the form common amongst and held binding by the members of the tribe to which such native belongs and when such native belongs to a tribe the members of which hold no form of oath binding upon them he shall be required to make solemn affirmation in the Form now in use in the Protectorate.

2. This Ordinance may be cited as the Native Oaths Ordinance 1906.

Nairobi,
Dated this 27th day of March, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Mombasa,

Dated this 1st day of April, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 7 of 1906.

Diseases of Animals.

1. This Ordinance may be cited as the Diseases of Animals Amendment Ordinance 1906 and shall be read as one with the Diseases of Animals Ordinance 1906 hereinafter referred to as the Principal Ordinance.

2. (1) The Police shall execute and enforce the principal Ordinance, and any Amending Ordinance and every Proclamation, rule or lawful order made thereunder.

(2) Where a person is seen or found committing, or is reasonably suspected of being engaged in committing, an offence against this Act, a Police Officer may, without warrant, stop and detain him; and if his name and address are not known to the Police Officer and such person fails to give them to the satisfaction of the Police Officer, the Police Officer may, without warrant apprehend him; and the Police Officer may, whether so stopping or detaining, or apprehending the person or not, stop, detain and examine any animal, vehicle, boat or thing to which the offence or suspected offence relates, and require the same to be forthwith taken back to or into any place, area or district wherefrom or whereout it was unlawfully removed, or permitted to escape, and execute and enforce that requisition, or may remove such animal to any pound or enclosure or other place selected by a Veterinary Officer and there detain such animal subject to the order of the Chief Veterinary Officer, a Veterinary Officer or Inspector.

(3.) If any person obstructs or impedes or assists to obstruct or impede a Police Officer in the execution of his duty under this Ordinance the Police Officer may without warrant apprehend the offender.

(4) A person apprehended under this Section shall be taken with all practicable speed before a Magistrate, and shall not be detained without a warrant longer than is necessary for that purpose.

(5) Nothing in this Section shall take away or abridge any power, or authority that a Police Officer would have had if this Section had not been enacted.

3. Where any person is required by the Principal Ordinance or by any Proclamation, Rule or any lawful Order thereunder to do any act or thing, and fails to comply with such requisition, a Sub-Commissioner, Administrative Officer, Veterinary Officer or Inspector may cause to same to be done.

J. HAYES SADLER

His Majesty's Commissioner.

Mombasa, 1st April, 1906.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

An Ordinance enacted by His Majesty's Commissioner for the East Africa Protectorate.

Mombasa,

Dated this 2nd day of April 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 8 of 1906.

Master and Servants.

IT is hereby enacted as follows:—

1. In this Ordinance, when not inconsistent with the context;

Interpretation.

The word "Servant" means any person employed for hire, wages, or other remuneration to perform any handicraft or any other bodily labour in agriculture or manufactures, or in any domestic service, or as a boatman, carrier, messenger or occupation of a like nature;

Servant.

The words "Contract of Service" mean any contract, whether in writing or oral, whether expressed or implied, to employ or to serve as a servant for any period of time, or to execute any work, whether such contract has been made before or after the commencement of this Ordinance.

Contract of service.

The word "Employer" means any person, whether male or female, or any firm, corporation or company who or which has entered into a contract of service to employ any servant, and the agent, foreman, manager, or factor of such person, firm, corporation or company, and, where a servant has entered into a contract of service with the Government or with any Officer on behalf of the Government, the Government Officer under whom such servant is working shall be deemed to be his employer provided that no Government Officer shall be personally liable under this Ordinance for anything done by him as an Officer of the Government in good faith.

Employer.

The words "Foreign Contract of Service" mean a contract of service, other than a contract for the employment of a domestic servant, made within the Protectorate and to be performed in whole or in part outside the Protectorate, and any contract for service with a foreign State;

Foreign Contract of Service.

The word "Parties" means the employer and employed under any contract of service.

Parties.

The word "Writing" includes printing.

Writing.

FORMATION AND INTERPRETATION OF CONTRACTS.

2. (1) A foreign contract of service shall be in writing and signed by the parties thereto otherwise such contract shall be void.

Foreign Contract of Service to be in writing.

(2) A contract of service, which, or a sufficient Memorandum whereof is not in writing and signed by the parties thereto, shall not be in force for a longer period than one month from the making thereof.

Contracts not in writing and unsigned.

3. No written contract of service shall be enforced as against any party who is unable to read and understand writing unless it bears an attestation, under the hand and seal of a Magistrate to the effect that such contract was read over and explained to such party in the presence of such Magistrate and was entered into by him voluntarily, and with full understanding of its meaning.

Attestation of written contract.

Attestation of
Foreign Contracts.

4. Every foreign contract of service shall be attested by the Sub-Commissioner of a Province and it shall be in the form in the Second Schedule hereto or to the like effect; Other contracts of service may, if, either of the parties so desire be attested by a Magistrate and, if so attested, they shall be in the form in the Schedule or to the like effect.

Magistrate not to
attest contracts of
service unless in
certain forms.

5. (1) A Magistrate shall not attest any contract of service unless it specify as accurately as may be;

(a) The nature and duration of the service.

(b) The place or limits within which such service is to be performed.

(c) The remuneration to be paid.

Stipulations in
Foreign Contracts

(2) A Sub-Commissioner shall not attest any foreign contract of service unless the contract in addition to specifying the particulars mentioned in Sub-Section 1 of this Section, contains a stipulation by the employer to provide the servant with sufficient means of returning if he shall desire to do so, at the termination of the contract, to the place at which he was engaged.

Power to fix fees
for the Registration
of contracts.

6. The Commissioner may fix the fees to be paid on the attestation of contracts of service, foreign or otherwise, and may from time to time alter and vary such fees as he may think fit, and such fees shall be paid by the employer on or before the attestation of the contract.

Security in
Foreign contract
of service.

7. (1) When the employer in a foreign contract of service does not reside or carry on business within the jurisdiction, he shall give security by bond in the form in the Schedule hereto or to the like effect with one or more sureties to be approved of by the Sub-Commissioner attesting the contract, and resident within the jurisdiction, conditioned for the due performance of the contract, in such sums as the Sub-Commissioner may consider reasonable.

(2) A Sub-Commissioner may require any employer in a foreign contract of service to give the bond mentioned in the preceding Sub-Section with the like sureties.

Inducing persons
to proceed abroad
under informal
contracts.

8. Whoever

(a) Induces, or attempts to induce any person to proceed beyond the Protectorate with a view to being employed as a servant other than a domestic servant; or

(b) Knowingly aids in the engagement of any person so induced, by forwarding or conveying him or by advancing money or by any other means whatever unless there is a foreign contract of service with such person and unless the provisions of this Ordinance relating to foreign contracts of service have been complied with, shall be liable to imprisonment for a term of one year or to a fine of Rs. 1,000 or to both.

Penalty.

Duplicates to be
attested, Custody
of originals.

9. Two duplicate copies of every contract of service attested under this Ordinance, shall be attested along with the original: one duplicate shall be delivered to the employer, and the other to the employed or in the case of a gang to the headman of the gang. The original of every attested contract shall be deposited with and preserved by the Sub-Commissioner of the Province within which the same was attested. An attested duplicate shall be evidence of the original.

A written contract
not to be valid for
more than three
years.

10. A written contract of service shall not be binding or valid for a longer period than three years from the date thereof.

Determination of
contract where
duration not
expressed.

11. Every contract of service wherein no agreement is expressed respecting its duration, not being a contract to perform some specific work without reference to time shall—

(a) if made and to be performed within the Protectorate be deemed to be a contract at will, and be determinable by either party at the close of any day without notice: and

(b) if a foreign contract of service, be determinable at any time upon notice of his intention to terminate the contract being given by either party to the other one month before the date of the intended termination, in cases where wages are by the contract and local custom payable monthly or at longer intervals, or one week before the date of the intended termination, in cases where wages are by the contract or local custom payable weekly or at longer intervals being less than monthly, or in all other cases one day before the date of the intended termination.

Contract expiring
on journey may
be prolonged.

12. If the period expressed in any contract of service or foreign contract of service for the duration thereof shall expire, or if notice as aforesaid

be given to determine any contract wherein no agreement is expressed respecting its duration whilst the servant is engaged in any voyage or journey, the employer may, for the purpose of terminating such voyage or journey, prolong the period of service for a sufficient period to enable the voyage or journey to be terminated.

13. When not otherwise expressed, the wages of the employed under any contract of service or foreign contract of service shall be payable in money, but any agreement for payment in kind shall be valid. It shall not be lawful to pay wages in kind if agreed to be paid in money, nor to pay in money if agreed to be paid in kind, nor in any other than the kind agreed on except with the consent of the servant.

Mode of payment of wages.

14. When services are rendered without any express contract for wages but with board or lodging, the use of land for tillage, or other benefits to the employed, a contract to pay in money for such service shall not be implied.

No implied contract to pay in money where services given for wages in kind.

15. Whoever decoys away, or unlawfully induces any servant to quit the service of his employer, or who knowingly receives or harbours any servant who may improperly quit the service of his employer shall be liable to a fine of Rs. 100 and in default of payment, to imprisonment, with or without hard labour for any period not exceeding two months.

Penalty for decoying and harbouring servants.

BREACH OF CONTRACT AND DISPUTES BETWEEN AND OFFENCES BY EMPLOYERS AND SERVANTS.

16. Whenever an employer or servant shall neglect or refuse to fulfil any contract of service, or whenever any question, difference or dispute shall arise as to the right or liabilities of either party or touching any misconduct or illtreatment of either party, or any injury to the person or property of either party, under any contract of service, the remedy of the party feeling aggrieved shall be by complaint to a Magistrate of the first or second class who may thereupon issue a summons to the party complained against.

Complaint in cases of dispute between employers and servants.

17. Every Magistrate of the first or second class shall have jurisdiction, notwithstanding that both or either of the parties may be European or American, and notwithstanding anything in any Regulations or law respecting the jurisdiction of such Magistrate to the contrary, in all cases arising in their respective districts between employers and their servants, and with reference to their relative rights and duties or to any matter, or thing, or offence to which provision is made by this Ordinance, and every Magistrate of the first or second class shall have jurisdiction in any such case as aforesaid, brought before him against any person being at the time within his district, whether the grounds of such case arose within the district or not or whether the person against whom the case is brought has his usual residence or place of abode in that district or not.

The jurisdiction of Magistrates.

18. If at any time after the laying of the complaint it appears to such Magistrate by information on oath that the party complained against is about to abscond he may cause him to be arrested and detained in custody, unless he finds security to appear and answer the complaint and to abide the decision of the Court therein.

Arrest of absconding defendant.

19. (1) Upon any complaint under this Ordinance the Magistrate may in addition to any jurisdiction he might have exercised if this Ordinance had not been made, exercise all or any of the following powers; that is to say;—

Discretionary powers of Magistrates.

(a) He may adjust and set off one against the other all such claims on the part either of the employer or of the servant arising out of, or incidental to the relation between them as the Magistrate may find to be subsisting, whether such claims are liquidated or unliquidated, and are for wages, damages or otherwise and he may direct the payment of such sum as he finds due by one party to the other party;

To adjust and set off claims.

(b) He may direct fulfilment of the contract; and in cases where he might award damages for any breach of contract, he may, in place either of the whole of the damages which would otherwise have been awarded, or some part of the damages, direct the party committing such breach to find security to the satisfaction of the Magistrate for the due performance of so much of the contract as remains unperformed, and if the party neglect or refuse to find security, he may commit him to prison until he finds it, but the

To direct fulfilment of the contract

term of imprisonment shall not exceed three months.

- (c) He may rescind the contract upon such terms as to the apportionment of wages or other sums due thereunder, and as to the payment of wages or damages or other sums due as he thinks fit.
- (d) When no amount of compensation or damages can be assessed, or when pecuniary compensation will not in the opinion of the Magistrate meet the circumstances of the case he may in addition to the rescinding of the contract and discharging the parties therefrom fine either party a sum not exceeding Rs. 200.
- (e) Where it appears to the Magistrate that an employer or servant has been guilty of any offence under this Ordinance, he may, in lieu of or in addition to doing any of the acts or things, and to making any of the orders or directions authorised by paragraphs (a) (b) and (c) of this Sub-Section pass any sentence or judgment authorised by this Ordinance upon the person so offending, and may make any order or do any act or thing by this Ordinance authorised or which may lawfully be done for giving effect to such judgment or order.
- (2) A person shall give security (hereinafter called the bond) under this section by a written or oral acknowledgment in or under the direction of the Court of the undertaking or condition by which and the sums for which he is bound, and such bond shall be forfeited and enforced in the manner provided for the forfeiture and enforcement of bonds under the Indian Criminal Procedure Code.
- (3) The provisions of the Indian Criminal Procedure Code and of any enactment extending or amending the same respecting appeals and references and the levying of moneys ordered to be paid shall apply to all proceedings and all orders for the payment of money under this Ordinance, but when a servant is imprisoned for non payment of any money, whether as damages, wages, or otherwise such money shall be considered as liquidated and discharged at the expiration of such imprisonment.

20. Whenever any male person shall appear liable to have any of the orders specified in the last preceding section made upon him, or to be punished in any other manner provided by this Ordinance, if he shall appear to the Court to be under the age of sixteen years and to require punishment in the way of discipline rather than in any other manner, the Court may order him to be detained for one day in any suitable place of detention, and to be corporally punished with a light cane of such pattern as may be approved by the Court, such punishment not exceeding sixteen stripes on the bare buttocks, instead of any other punishment.

21. Any servant may be fined a sum not exceeding the amount of one month's wages and in default of payment of the same may be imprisoned with or without hard labour for any period not exceeding one month, in case he shall be convicted of any of the following acts:—

- (1) If he shall, after having entered into a contract, fail or refuse without lawful cause to commence the service at the stipulated time.
- (2) If he shall, without leave, or other lawful cause, absent himself from his employer's premises, or other place proper and appointed for the performance of his work.
- (3) If he shall, during working hours unfit himself for the proper performance of his work by becoming or being intoxicated.
- (4) If he shall neglect to perform any work which it was his duty to have performed or if he shall carelessly or improperly perform any work which from its nature it was his duty under his contract to have performed carefully and properly.
- (5) If he shall without leave, and for his own purposes, make use of any horse, vehicle, or other property belonging to his employer.
- (6) If he shall use any abusive or insulting language to his employer or to his employer's wife, or to any person placed by his employer in authority over him, calculated to provoke a breach of the peace.

22. Any servant may be fined any sum not exceeding the amount of two months' wages and in default of payment may be imprisoned with or without hard labour for any period not exceeding two months, or may be imprisoned

To rescind the contract and apportion wages etc.

To impose fines.

To pass any sentence or judgment authorised by this Ordinance.

Form of security.

Imprisonment in default

Punishment of juveniles.

Penaltic Class I.

Penalties Class II

without the infliction of a fine, at the discretion of the Magistrate, with or without hard labour for any period not exceeding two months in case he shall be convicted of any of the following acts or instances of misconduct that is to say:—

- (1) If he shall by wilful breach of duty, or through drunkenness do any act tending to the immediate loss, damage or serious risk of any property placed by his employer in his charge or placed by any other person in his charge for delivery to or on account of his employer.
- (2) If he shall, by wilful breach of duty, or by neglect of duty or through drunkenness refuse or omit to do any lawful act proper and requisite to be done by him for preserving in safety any property placed by his employer in his charge, or placed by any other person in his charge for delivery to or on account of his employer.
- (3) If being employed as a herdsman, he shall fail to report to his employer the death or loss of any animals placed in his charge, which he shall allege to have died or been lost, on the earliest opportunity of so doing after he shall have discovered, or in the course of duty was bound to have discovered such death or loss, or if he shall fail to preserve for his employer's use or inspection any part or parts of such animals as he shall allege to have died, which part or parts he shall by his employer have been directed to preserve, unless such herdsman shall prove to the satisfaction of the Court the death of such animals, or if it shall be made by his employer to appear that any such animal or animals alleged by him to have strayed away or otherwise become irrevocably lost, could not, under the circumstances of the case, have become irrevocably lost without his act or default.
- (4) If, being employed in any capacity other than that of a herdsman, he shall allege the loss of any property placed in his charge by or for his employer, and it shall be made to appear by his employer that the property in question could not have been lost without his act or default.
- (5) If he shall, without lawful cause, depart from his employer's service with intent not to return thereto.

23. No fine or period of imprisonment undergone under this Ordinance, by a servant shall have the effect of cancelling the contract of service.

Neither fine nor imprisonment to have the effect of cancelling a contract.

24. When any period of imprisonment shall be undergone by any servant for any offence under this law, a like period shall be added to the term of service stipulated for in the contract of service as it subsisted when such imprisonment was commenced, so that such servant shall be obliged to serve a further period equal to the period of his imprisonment in addition to the term of service originally stipulated.

Term of imprisonment added to term of service.

25. When the offence of which any servant shall be convicted under this Ordinance, shall be the offence of absenting himself from, or of departing from the service of his employer, then the period of his absence shall be added to the term of service originally stipulated in like manner as in the last preceding section directed in regard to the period of imprisonment therein mentioned and it shall be the duty of the Magistrate convicting such servant to ascertain at the trial the period of absence, and to certify the same by some writing under his hand to be delivered to the employer, and the period mentioned in such writing shall by all Courts and in all places be deemed to be added to the original term of service.

Whenever a servant is convicted of absenting himself or departing from service period of absence to be added to term of service.

26. As often as any property of the employer shall be lost or damaged by means of any act or omission of his servant, which act or omission is by this Ordinance declared to be an offence it shall be lawful for the Magistrate should he think fit, and the employer shall thereto agree, to ascertain whether such servant is able to make compensation for such loss or damage, and if so, to fix the amount of such compensation, and make such order as to payment thereof, either at once or by instalments out of wages to be yet earned or otherwise, as shall seem reasonable and just, provided that no instalment ordered to be paid out of wages shall exceed one half of the servant's monthly wage if the instalments are ordered to be paid monthly or one half of the servant's weekly wage if the instalments are ordered to be paid weekly, and in

Loss etc of employer's property.

the meantime and until default made in such payment, or in the payment of some such instalment to defer passing sentence upon the party offending: but such Magistrate shall preserve on record the evidence in the case, and upon application of the employer and proof given upon oath of some such default as aforesaid, shall issue his warrant for the apprehension of such servant, and shall pronounce upon him such sentence as regard being had to the circumstances of the original offence and to the degree in which such servant has made or failed to make the compensation ordered, shall appear equitable.

Penalty on servant leaving service before working off an advance of wages.

27. Any servant who receives from his employer any wages in advance and who without good reason quits the service of such employer before such advance is fully worked off shall be guilty of an offence and shall be liable to imprisonment not exceeding three months.

Time limit within which complaint must be made by employer.

28. No servant shall be convicted under any of the foregoing sections of this Ordinance unless the employer shall lodge his complaint without undue delay after he becomes cognizant of the offence or alleged offence.

Penalty on employer.

29. Any employer of any servant may be fined any sum not exceeding Rupees one thousand and in default of payment of the same may be imprisoned for any period not exceeding one month in case he shall be guilty of any of the following acts or omissions that is to say:—

Withholding wages.

1. If he shall withhold the wages of such servant, without reasonable and probable cause for believing that the wages so withheld are not really due.

Detaining servant's stock.

2. If before or after the expiration of the contract of service, upon demand made and without lawful cause, he refuses to deliver or permit to be taken away any property belonging to such servant lawfully remaining or being upon such employer's land without reasonable and probable cause for believing that the property in question was lawfully detained.

Failing to supply food etc stipulated for in any written contract.

3. If he fails upon demand to supply or deliver to such servant the food, bedding or other articles stipulated for in any written contract of service; or if he supplies or delivers food, bedding or other articles not conformable to the said contract.

Defendant a competent witness.

30. Every person charged with an offence under this Ordinance shall be a competent but not a compellable witness.

Defendant not to be compelled to enter the dock except in certain events.

31. No person charged with an offence under this Ordinance, who is not immediately before the hearing of such charge in actual custody, shall be compelled to enter the dock or place usually assigned for prisoners under trial in the Court, or shall be otherwise treated as under arrest during the hearing of such charge: provided that if, in the opinion of the Magistrate before whom the charge is heard, it shall be necessary in order to secure the attendance of such employer or servant, that he should be placed in custody, it shall be lawful for such Magistrate to cause such person to be arrested and detained in custody.

The amount of a fine imposed or a part thereof may be paid to the complaining party

32. When the Magistrate imposes any fine, or enforces payment of any sum secured by a recognizance or bond the Magistrate may direct that such fine or sums when recovered, or any part thereof he thinks fit, shall be applied to compensate any employer or servant for any wrong or damage sustained by him by reason of the act or thing in respect of which the fine was imposed or by reason of the non-performance of the contract of service.

Costs of witnesses etc.

33. In any complaint under this Ordinance the process of the court of the Magistrate for compelling the attendance of the party accused, and of all necessary witnesses, shall be instituted at the public charge and without any fees of Court: provided, always, that if at the trial the charge shall appear to the Magistrate to be frivolous or vexatious, the party complaining shall be liable to a fine not exceeding Rupees one hundred, and to defray the costs of the process and of the witnesses in the case: and in default of payment of such costs, shall be liable to be imprisoned for any period not exceeding one month: provided, also, that such fine may be imposed upon the occasion of such trial, and without any fresh action or proceeding for the recovery thereof.

No wages to become payable during the imprisonment of servant

34. No wages shall become payable to a servant for or during any term of his imprisonment under this Ordinance.

MISCELLANEOUS PROVISIONS.

35. Nothing in this Ordinance shall prevent any employer or servant from being proceeded against according to law for any offence punishable under the Indian Penal Code or under any other law in force in the British East Africa Protectorate.

Parties may be proceeded against for any offence punishable under or in other law in force.

36. The provisions of this Ordinance shall not apply to any contract of service made by any porter registered under the Native Porter and Labour Regulations 1902 whereby such porter agrees to serve with or accompany a caravan within the meaning of the last mentioned Regulations, and nothing in this Ordinance shall be deemed to effect the provisions of those Regulations except in so far as the same are expressly repealed by this Ordinance.

Saving as to contracts by porters.

37. Nothing in this Ordinance shall prevent any employer or servant from enforcing their respective rights and remedies for any breach or non-performance of any lawful contract of service made out of the British East Africa Protectorate, but the respective rights of such parties under such contract as well against each other as against third parties invading such rights may be enforced in the same manner as other contracts arising thereout may be enforced and as if this Ordinance had not been made; provided that whenever any such contract has been executed in conformity with this Ordinance it shall be enforced in the same manner as a contract entered into under this Ordinance. But no written contract the tenor and execution of which are not in conformity with this Ordinance, shall be enforced as against any party thereto who is unable to read and understand writing. Any such contract shall be deemed executed in conformity with this Ordinance which is signed by the names or marks of the contracting parties, and bears, as concern any illiterate parties, an attestation to the like effect as is prescribed by section 3 hereof.

Saving as to contract of service made abroad.

If the contract was made in the United Kingdom or elsewhere in His Majesty's dominions the attestation may be by any Justice of the Peace or other Officer authorised by law to take affidavits; if made in any foreign parts the attestation may be by any Judge or Magistrate, being authenticated by the Official Seal of the Court to which he is attached, or by any British Minister, Consul, Vice Consul or Consular Agent.

38. This Ordinance shall not apply to any contract made under or governed by any Imperial law relating to shipping, nor affect the rights and remedies of the parties thereunder.

Saving as to contracts under Acts relating to shipping.

39. The Commissioner may from time to time make, and when made, alter and revoke rules dealing with:—

Power to make rules.

- (1) The recruiting or employment for the service of a Foreign State;
 - (2) The engagement and embarkation of person to be employed under a Foreign contract of service; and generally for the better carrying into effect the provisions of this Ordinance;
- The Commissioner may fix such penalties for the breach or non-observance of any Rule as he may think proper, not exceeding imprisonment of either kind for two months or a fine of Rupees two hundred or both, and where no penalty is imposed by the Rules the breach or non-observance of any rule shall be punishable to the extent aforesaid.

40. The enactments described in the First Schedule are hereby repealed to the extent specified in the third column thereof.

Repeals.

41. This Ordinance may be cited as the Master and Servants Ordinance 1906, and shall come into force on the first day of May one thousand nine hundred and six.

Short title

Mombasa

Dated this 2nd day of April 1906.

J. HAYES SADLER

His Majesty's Commissioner.

FIRST SCHEDULE.

The Native Porters and Labour Regulations 1902.	No. 3 of 1902.	Part II the whole. Part III. Article 42 the words "and servants" Article 43 the words "Or servant" wherever the same shall appear. Part IV. The words " or Servant" wherever the same shall appear. Part V. Article 56 the words "or servant."
Native Labour Amendment Ordinance 1903.	No. 7 of 1903	The whole.

SECOND SCHEDULE.**FORM OF CONTRACT UNDER SECTION IV**

MEMORANDUM OF AGREEMENT made this _____ day of _____ 190____
BETWEEN _____ (hereinafter called the Employer) of the one part,
and the persons whose names appear in the Schedule hereto (hereinafter called the
Employed) of the other part.

- Each of the Employed hereby contracts with the employer to serve him at _____ in the capacity of _____ for the period of _____ to be computed from the _____ day of _____ 190____.
- The Employer hereby contracts with the Employed that he will during the period aforesaid make to each of the Employed the payments and allowances set opposite his name in the Schedule hereto, and will at the expiration of the said period provide each of the Employed who desires it with sufficient means of returning to the place at which he was hired.

IN WITNESS whereof the said parties have hereunto set their hands or make their marks at _____ before the _____ the day and year first above written.

Signature of Employer

THE SCHEDULE.

Names and Marks.	Payments per	Allowance for subsistence per

The above named parties set their hands or made their marks hereto in my presence, the agreement being assented to by them upon the same being read over and explained to them in my presence, and I hereby attest under my hand and seal that the agreement was entered into voluntarily by them with full understanding of its meaning and effect.

FORM OF BOND UNDER SECTION 7.

BE IT KNOWN unto all men by these presents that we (1) are jointly and severally bound unto (2) and to any one or more of them in the sum of (3) to be paid to the said (4) their and each of their heirs, executors, administrators and assigns : For which payment well and truly to be made as liquidated damages and not as a penalty, we bind ourselves jointly and severally and our heirs, executors, and administrators, and every one of them firmly by these presents. Sealed with our seals, dated this day of 190 .

The condition of the above-written obligation is such that if (5) (hereinafter called the employer) the employer of the said (6) (hereinafter called the employed) do pay to each of the employed performing their part of the agreement after mentioned the several sums of money set opposite to their respective names in the Schedule to an agreement made and entered into between the employer and employed at on the day of 190 and attested by (7) in regular (8) payments to be computed from the day of their embarkation at (9) and also do find and furnish the said employed with the subsistence set opposite to their respective names in the said Schedule at regular (10) periods to commence as aforesaid, and do further at the expiration of the term of (11) computed from the day of embarkation of the said employed, provide the said employed or any of them so desiring with sufficient means to obtain a passage or with a free passage and subsistence during such passage back to (12) the place at which the said agreement was executed, as agreed and promised by the said employer in the said agreement, and do execute, carry out and perform his part of the said agreement in all respects then this obligation to be void, otherwise to be in full force and virtue.

Signed, sealed and delivered in the }
presence of }

(To be signed and sealed by each of the }
obligants and attested if practicable by the }
officer attesting the relative agreement.) }

- (1) Insert names and description of employer and one or more sureties resident within the jurisdiction.
- (2) Name and description of the employed.
- (3) Insert sum not less than half the total amount (less any advances) due by the contract
- (4) Repeat names of employed.
- (5) Name or names of employers.
- (6) Names of employed.
- (7) Official name of officer before whom agreement is signed.
- (8) Weekly or monthly &c., as the case may be.
- (9) Place of embarkation.
- (10) Weekly or monthly &c., as the case may be.
- (11) Term of agreement.
- (12) Place of employment.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Britannic Majesty's Commissioner for the East Africa Protectorate.

Mombasa,
April 14th, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 9 of 1906.

Game.

Interpretation.

1. In this Ordinance "The Protectorate" means the British East Africa Protectorate.

"Hunt, kill, or capture" means hunting, killing or capturing by any method, and includes every attempt to kill or capture.

"Hunting" includes molesting.

"Game" means any animal mentioned in any of the Schedules.

"Animal" save as herein expressly provided, means mammals, and birds other than domesticated, but does not include reptiles, amphibia, fishes and invertebrate animals.

"Public Officer" means a European Officer in the Public service of the East Africa or Uganda or Zanzibar Protectorates, or on the Superior Establishment of the Uganda Railway, or an Officer of one of His Majesty's ships on the East Africa Station.

"Native" means any native of Africa, not being of European or American race or parentage.

"Settler" means a person for the time being resident in the Protectorate not being a public Officer or a Native.

"Sportsman" means a person who visits the Protectorate wholly or partly for sporting purposes, not being a public officer, settler, or native.

"Collector" means the principal Civil Officer in charge of a district of the Protectorate.

"Schedule" and "Schedules" refer to the Schedules annexed to this Ordinance.

GENERAL PROVISIONS.

2. No person, unless he is authorised by a special license in that behalf, shall hunt, kill, or capture any of the animals mentioned in the First Schedule.

3. No person unless he is authorised by a special license under this Ordinance, shall hunt, kill or capture any animals of the kinds mentioned in the Second Schedule if the animal be (a) immature or (b) a female accompanied by its young.

4. No person, unless he is authorised under this Ordinance, shall hunt, kill or capture any animal mentioned in the Third Schedule.

5. The Commissioner may, if he thinks fit, by Proclamation, remove any animal from any of the Schedules, or declare that the name of any species, variety, or sex of animal, whether beast or bird, not mentioned in any Schedule hereto, shall be added to a particular Schedule, or that the name of any species or variety of animal mentioned or included in one Schedule shall be transferred to another Schedule, and, if he thinks fit, apply such Proclamation to the whole of the Protectorate, or to any Province, District or other area.

6. (1) Save as hereinafter provided no person shall export from the Protectorate for sale or shall within the Protectorate sell, or purchase or offer or expose for sale any head, horn, bone, skin, feather,

Animals not to be hunted etc, without special license.

Animals not to be hunted without a license.

Power to vary Schedules.

Prohibition on sale etc of trophies.

or flesh or any other part of any animal mentioned in any of the Schedules, unless the animal has been kept in a domesticated state.

- (2) Save as hereinafter provided no person shall collect, export from the Protectorate for sale, or shall within the Protectorate sell, or purchase, or offer or expose for sale any ostrich eggs unless the ostrich has been kept in a domesticated state. Prohibition on dealing in ostrich eggs.
- (3) No person shall knowingly store pack convey or export any animal or part of any animal or any ostrich egg which he has reason to believe has been captured or obtained in contravention of this Ordinance. Prohibition on storing etc.
- (4) Ostrich eggs, or any animal or any heads, horns, tusks, feather or other remains of any animals mentioned in any of the Schedules hereto shall be liable to forfeiture if they have been obtained in contravention of this Ordinance. Trophies liable to forfeiture.
- (5) Notwithstanding anything contained in this Section any ostrich eggs or any heads, horns, bones, skins, feathers, or flesh of any non-domesticated animals mentioned in the Schedules may be sold in the following cases and under the following conditions:—
- (a) If they form part of the estate of a deceased person, by the Administrator General or personal representative of such deceased person, with the consent of the Court granting probate or administration, and on payment of such fee as the Court directs, not exceeding two rupees.
- (b) If they have been forfeited, by the order of the Commissioner or of the Court by which they have been declared to be forfeited.
- (6) In any sale under sub-section 5 of this Section purchasers shall in every case be given a certificate specifying the articles and declaring that they have been lawfully sold under the provisions of this Ordinance, and such certificate shall be evidence that the purchaser has not obtained the goods in contravention of this Ordinance. Certificates to be issued on lawful sale.
- (7) Nothing contained in this Section shall be deemed to prevent the sale, purchase, transfer, or export of elephant ivory or hippopotamus tusks which have been obtained without a contravention of this Ordinance. Saving as to ivory.
- (8.) When any animal mentioned in any of the Schedules hereto is killed by accident or when the carcase or remains of any animal shall be found the head, horns, tusks, or feathers of such animal shall belong to the Government; Animals killed by accident etc, or found dead the property of the Government.
 Provided that the Commissioner may waive the right of the Government in this respect in any case as he may deem fit; and Provided that the Commissioner may direct the payment to any person or persons so killing or finding of sufficient compensation as shall cover the cost of the transport of any ivory to the nearest station and may direct rewards to be paid to the finder of any ivory. Any person removing the head, horns, tusks or feathers of any animal killed by accident or forming part of the carcase or remains of any animal found dead with the intention of converting the same to his own use or of depriving the Government of the same shall be guilty of an offence against this Ordinance. Nothing in this sub-section shall be deemed to prohibit the removal of any part of any animal lawfully killed under the provisions of this Ordinance by the person killing the same or by his servants or agents.
7. (1) Any person found in possession of, or selling or transferring, or exporting or attempting to sell, transfer or export any ivory which has been obtained in contravention of this Ordinance, or any elephant tusk weighing less than 30 lbs; or any pieces of ivory which, in the opinion of any officer engaged in the Civil administration of the East Africa Protectorate, formed part of a tusk under 30 lbs in weight, shall be guilty of an offence, and shall be liable to a fine not exceeding rupees one thousand or two months' imprisonment of either kind, or to both, and the tusks or parts of a tusk shall be confiscated unless the Commissioner shall otherwise order. Possession, sale etc of immature ivory.
- (2) Provided that the Commissioner or any person authorised by the Commissioner in that behalf may possess, sell, or transfer Reservation to the Commissioner.

within the East Africa Protectorate or may export from the East Africa Protectorate any ivory belonging to the Government or confiscated under the provisions of this Ordinance or of any Regulation or Ordinance repealed by this Ordinance.

- (3) All such ivory possessed, sold, transferred or exported under the provisions of the last preceding sub-section shall be distinctively marked with such mark and in such manner as the Commissioner by notice published in the Official Gazette may appoint.
- (4) The purchaser or transferee of any ivory so sold or transferred under the provisions of sub-section 2 of this section shall lawfully possess such ivory and may lawfully export such ivory from the East Africa Protectorate.
- (5) The provisions of sub-section 1 of this section shall not apply to any ivory lawfully possessed by any person at the date of the publication of this Ordinance provided that such ivory shall within three months of the publication of this Ordinance be produced or sent to the nearest Collector who shall mark such ivory with such mark and in such manner as the Commissioner may appoint.
- (6) The Commissioner may make rules prescribing the conditions under which ivory lawfully collected and possessed in the Uganda Protectorate may be introduced into the Protectorate for the purpose of transit through the Protectorate.

Notwithstanding any thing in this section to the contrary such ivory introduced into the Protectorate for the purpose aforesaid and in accordance with the conditions imposed by such rules shall be deemed to be lawfully possessed and exported from the Protectorate.

8. No person shall use any poison, or, without a special license, any dynamite or other explosive for the killing or taking of any fish.

9. Where it appears to the Commissioner that any method used for killing or capturing animals or fish is unduly destructive, he may, by proclamation, prohibit such method or prescribe the conditions under which any method may be used: and if any person uses any method so prohibited, or use any method otherwise than according to the conditions so prescribed, he shall be liable to the same penalties as for a breach of this Ordinance.

10. Save as provided by this Ordinance, or by any proclamation under this Ordinance, or by the Birds Protection Regulations 1901 or by the East Africa Wild Birds Protection Ordinance 1903 or any amendment thereof any person may hunt, kill, or capture any animal not mentioned in any of the Schedules, or any fish.

GAME RESERVE.

11. The areas described in the Fifth Schedule hereto are hereby declared to be game reserves.

The Commissioner, with the approval of the Secretary of State, may by Proclamation declare any other portion of the Protectorate to be a game reserve, and may define or alter the limits of any game reserve, and this Ordinance shall apply to every such game reserve.

Save as provided in this Ordinance any person who hunts, kills, or captures any animal in a game reserve, or is found within a game reserve under circumstances showing that he was unlawfully in pursuit of any animal, shall be guilty of a breach of this Ordinance.

LICENSES TO EUROPEANS &c.

12. The following licenses may be granted by the Commissioner or any Collector or such person or persons as may be authorised by the Commissioner, that is to say:—

- (1) A Sportsman's license;
- (2) A Public Officer's license;
- (3) A Settler's license; and
- (4) A Landholder's license.

The following fees shall be payable for licenses, that is to say, for a Sportsman's license 750 rupees, for a Public Officer's license, or a Settler's license, 150 rupees and for a Landholder's license 45 rupees.

Every license shall except as hereinafter provided be in force for one year only from the date of issue.

Marking of Ivory sold under Reservation.

Saving to purchasers.

Saving as to Ivory lawfully possessed at the date of the publication of this Ordinance.

Restriction on killing fish.

Power to prohibit destructive methods of capture.

Animals and fish which may be killed without license.

Game Reserves.

Power to vary game reserves

Prohibition on hunting etc any animal in a Game Reserve.

Licenses and by whom issued.

Fees for licenses.

Terms of license.

Provided that a Public Officer's license may be granted for a single period of 14 consecutive days on payment of a fee of 30 rupees but not more than one such license shall be issued to the same Public Officer within a period of twelve months.

Public Officer's
14 day license.

Every license, except a Public Officer's fourteen days license, unexpired on the 31st day of March 1906 or issued after the 31st day of March 1906 shall remain in force for one year from the date of issue, but such license shall be subject to the provisions of this Ordinance.

Provision
respecting
licenses in force
at the date of
publication of
this Ordinance.

Every license shall bear the name in full of the person to whom it is granted, the date of issue, the period of its duration, and the signature of the Commissioner, Collector or other person authorised to grant licenses.

Contents of license

The applicant for a license may be required to give security by bond or deposit, not exceeding rupees two thousand, for his compliance with this Ordinance, and with the additional conditions (if any) contained in his license.

Licensee may be
required to give
security.

A license is not transferable.

Licenses not
transferable.

Every license must be produced when called for by any officer of the Protectorate Government or by any officer of the Uganda Railway specially authorised in writing by the Commissioner, and any license holder who fails without reasonable cause to produce it when called for shall be guilty of an offence against this Ordinance.

To be produced
when called for.

In granting licenses under this Ordinance a Collector or any person authorised to grant licenses shall observe any general or particular instructions of the Commissioner.

13. A Sportsman's license, and a Public Officer's license respectively authorises the holder to hunt, kill, or capture animals of any of the species mentioned in the third schedule, but unless the license otherwise provides, not more than the number of each species fixed by the second column of that Schedule.

Animals which
may be hunted
under Sportsman's
or Public Officer's
license.

The holder of a Sportsman's or Public Officer's license granted under this Ordinance may by the license be authorised to kill or capture additional animals of any such species on payment of such additional fees as may be prescribed by the Commissioner.

Additional
animals.

The Commissioner may in special cases grant at a fee of rupees one hundred and fifty a Sportsman's license to a person entitled to take out a Settler's license

Sportsman's license
may be granted
to a Settler.

14. A Settler's license authorises the holder to hunt, kill, or capture animals of the species and to the number mentioned in the Fourth Schedule only.

Animals which
may be hunted
under a Settler's
license.

15. (1) A Public Officer's license shall not be granted except to a Public Officer and a Settler's license shall not be granted except to a Settler but a Sportsman's license may be granted to a Settler.

To whom Public
Officer's or
Settler's license
may be granted.

(2) The holder of a Settler's or Landholder's license may surrender his license and take out a Sportsman's license; and in such case the sum which has been paid in respect of the surrendered license shall be deducted from the sum which such person would otherwise be required to pay for a sportsman's license; provided that a sportsman's license so granted shall expire on the same date as that on which the surrendered license would have expired and that all animals captured or killed under the surrendered license shall count towards the animals which may be captured or killed under the Sportsman's license.

Exchange of
Settler's or
Landholder's
license.

16. Should the holder of a Public Officer's license cease to be a public Officer during the currency of such license his license shall thereupon expire.

Public Officer's
license to expire
on holder ceasing
to be a Public
Officer but
Sportsman's license
may be taken out
on terms.

Provided that if the person whose license has expired under the provisions of this section alone takes out a sportsman's license the sum which has been paid by such person in respect of the license so expired shall if such person so elects be deducted from the sum which he would otherwise be required to pay for a sportsman's license.

Provided that in such case all animals killed under the license which has so expired shall count towards the animals which may be killed under the sportsman's license, and the sportsman's license shall expire on the same date as that on which the original license would have expired if the holder thereof had continued to be a public officer.

Public Officer's license issued in Uganda valid in East Africa.

17. When a licence similar to a public officer's license under these Regulations has been granted in the Uganda Protectorate, that license shall authorise the holder to hunt, kill, or capture game in the East Africa Protectorate, in all respects as if the license had been granted in the East Africa Protectorate, provided that such license shall be first endorsed by a Collector or other authorised officer of the East Africa Protectorate: provided also that any authority to kill or capture additional animals not permitted under the corresponding East Africa license shall be void.

Landholder's license.

18. (1) An occupier of land may take out a landholder's license and may also take out a similar license at the same fee for any person permanently employed by him in connection with the land.

Limited to Game on holders land.

(2) The license shall only permit game to be hunted, killed, or captured on the land of the holder of the license or of his employer who has taken out the license.

Protection of certain animals.

(3) The license shall not authorise animals in the First Schedule or the females or young of animals mentioned in the Second Schedule to be hunted killed or captured.

Animals which may be hunted under.

(4) The license shall permit the animals mentioned in the Third and Fourth Schedules to be hunted killed or captured and the limitation of the number of animals to be hunted killed or captured therein contained shall not apply.

Conditions.

(5) Except as otherwise provided in this section the holder of a landholder's license will be subject in all respects to the provisions of this Ordinance.

Condition where held with Settler's license.

19. When a person holding a landholder's license holds also a settler's license, animals killed or captured on his own land under his landholder's license, shall not count towards the animals he is entitled to kill under his settler's license.

Protection of crops.

20. Any landholder, or his servant, finding an animal mentioned in the schedules spoiling his crops or doing damage to his holding may kill the same if such act is necessary for the protection of his crops or holding, but he shall give notice thereof to the Collector of the District without delay, and the head, horns, tusks, and skin or feathers shall be the property of the Government, and shall be dealt with as the Collector may direct.

Game killed on private land at the request of the owner, how to be dealt with.

21. Animals mentioned in the Schedules killed or captured by the holder of a license other than a landholder's license upon private land at the request of the occupier and for the protection of his crops or holding shall not count towards the number of animals that person is entitled to kill under his license but in such case the head, horns, tusks, skins and feathers of such animals shall be the property of the Government and shall be dealt with as the Collector may direct.

Restriction on hunting on private lands.

22. No person shall be entitled to hunt, kill, or capture animals mentioned in the schedules on private lands unless he is duly licensed under the provisions of this Ordinance.

Special licenses.

23. The Commissioner may grant a special license to any person to collect Ostrich eggs, or where it appears proper to the Commissioner for scientific or administrative reasons, he may grant a special license to any person, not being a native, to kill or capture animals of any one or more species mentioned in any of the Schedules or to kill, hunt, or capture in a game reserve specified beasts or birds of prey, or other animals whose presence is detrimental to the purposes of the game reserve; or in particular cases, to kill, or capture, as the case may be, in a game reserve, an animal or animals of any one or more species mentioned in the Schedules.

The Commissioner may, if he thinks fit, grant a special license to any person being a European or American, resident in any station situate in or near a game reserve, to kill or capture specified birds and noxious animals in such game reserve or in such part thereof as shall be defined on such license or otherwise.

In the Uganda Railway Zone whether included in a game reserve or not it shall be lawful to kill or capture any beast of prey.

A special license shall be subject to such conditions as to fees and security (if any), number, sex, and age of specimens, district and seasons for hunting, and other matter, as the Commissioner may prescribe.

When the Collector or Assistant Collector, or other European Officer of the Protectorate Government, in a district comprising a game reserve, is the holder

of a Public Officer's license, the Commissioner may grant a special license authorising the officer to hunt, kill, or capture, in the game reserve, such animals as may be allowed by his public officer's license.

Save as aforesaid, the holder of a special license shall be subject to the general provisions of this Ordinance, and to the provisions relating to holders of licenses.

24. The Commissioner may by rule prescribe the forms of licenses issued under the provisions of this Ordinance. Forms of licenses.

Every license holder shall keep a register of the animals killed or captured by him in the form specified in the Sixth Schedule. Game register.

The register shall be submitted as often as convenient, but not less frequently than once in three months, to the nearest Collector or Assistant Collector, who shall countersign the entries up to date and retain a copy thereof. Return of Game killed.

Any person authorised to grant licenses may at any time call upon any license holder to produce his register for inspection. Production of Register for inspection.

Every holder of a license must within 15 days after his license has expired produce or send to the Collector of the district in which he resides the register of the animals killed or captured by him under his license.

Every person holding a sportsman's license shall before leaving the Protectorate submit his Register to the Deputy Commissioner.

If any holder of a license fails to keep his register truly or to produce his license as required by this section he shall be guilty of an offence against this Ordinance. Failure to keep or produce an offence.

25. The Commissioner may revoke any license when he is satisfied that the holder has been guilty of a breach of any of the provisions of this Ordinance or of the conditions of his license or has connived with any other person in any such breach, or that in any matters in relation thereto he has acted otherwise than in good faith. Revocation of licenses.

26. The Commissioner may at his discretion direct that a license under this Ordinance shall be refused to any applicant. Refusal of licenses.

27. Any person whose license has been lost or destroyed may obtain a fresh license for the remainder of his term on payment of such a fee as the licensing authority may fix not exceeding Rupees five. Lost licenses.

28. No license granted under this Ordinance shall entitle the holder to hunt, kill, or capture any animal, or to trespass upon private property without the consent of the owner or occupier. License does not authorise trespass.

29. Any person who, after having killed or captured animals to the number and of the species authorised by his license, proceeds to hunt, kill, or capture any animals which he is not authorised to kill or capture, shall be guilty of a breach of this Ordinance. Hunting etc animals beyond limit allowed an offence.

30. Persons in the employment of holders of licenses may, without license, assist such holders of licenses in hunting animals, but shall not use fire-arms. Servants of license holders may assist in hunting animals but may not use fire arms.

In any case of a breach of the provisions of this Section the license of every license holder concerned in the breach shall be liable to forfeiture, and such license holder shall be guilty of an offence.

31. The Commissioner or any person authorised by him in that behalf may, at his discretion, require any person importing fire-arms or ammunition that may be used by such person for the purposes of killing game or other animals to take out a license under this Ordinance, and may refuse to allow the fire-arms or ammunition to be taken from the public warehouse until such license is taken out. Save as aforesaid, nothing in this Ordinance shall affect the provisions of "The East Africa Fire-arms Regulations, 1896," or any amendment thereof or substitution therefor. Importers of fire arms may be required to take out game license.

RESTRICTIONS ON KILLING GAME BY NATIVES,

32. When the members of any native tribe or the native inhabitants of any village appear to be dependent on the flesh of wild animals for their subsistence, the Collector of the district may with the approval of the Commissioner, by order addressed to the Chief of the tribe or Headman of the village, authorise the tribesman or inhabitants, as the case may be, to kill animals within such area, and subject to such conditions as to mode of hunting, number, species, and sex of animals and otherwise as may be prescribed by the order. Collector may authorise natives to kill game.

Restriction on game which may be killed

An order under this section shall not authorise the killing of any animal mentioned in the First Schedule.

Provisions re licenses not to apply.

The provisions of this Ordinance with respect to holders of licenses shall not apply to a member of a tribe or native inhabitant of a village to which an order under this Section applies.

Other provisions to apply.

Save as aforesaid, the general provisions of this Ordinance shall apply to every native who is authorised under this section, and a breach of any order shall be a breach of this Ordinance.

Native game licenses.

33. The Collector of a district may, with the approval of the Commissioner, grant a license, similar to a Sportsman's or Settler's license to any native, upon such terms as to fees and other conditions as the Commissioner may direct.

LEGAL PROCEDURE.

Power to search and seize etc.

34. Where any public officer of the East Africa Protectorate thinks it expedient for the purposes of verifying the register of a license-holder, or suspects that any person has been guilty of a breach of any of the provisions of this Ordinance or of the conditions of his license he may inspect and search, or authorise any subordinate officer to inspect and search, any baggage, packages, waggons, tents, building, or caravan belonging to or under the control of such person or his agent, and if the officer finds any heads, horns, tusks, skins, feathers or other remains of the animals appearing to have been killed, or any live animals appearing to have been captured, in contravention of this Ordinance, he shall seize and take the same before a Magistrate to be dealt with according to law.

Penalties.

35. Any person who hunts, kills, or captures any animals in contravention of this Ordinance, or otherwise commits any breach of the provisions of this Ordinance or of the conditions of his license shall, on conviction, be liable to a fine which may extend to Rupees one thousand, and where the offence relates to more animals than two, to a fine in respect of each animal which may extend to Rupees Five hundred and in either case to imprisonment of either which may extend to two months, with or without fine.

Forfeiture on conviction.

In all cases on conviction any Ostrich eggs or any heads, horns, tusks, skins, feathers or other remains of animals found in the possession of the offender or his agent, and all live animals captured in contravention of this Ordinance shall be liable to forfeiture.

Revocation of licenses by Court.

If the person convicted is the holder of a license his license may be revoked by the Court.

Payment of informers.

36. Where in any proceeding under this Ordinance any fine is imposed, the Court may award any sum or sums not exceeding half the total fine to any informer or informers.

Short title and commencement of Ordinance.

37. This Ordinance may be cited as "The East Africa Game Ordinance 1906" and shall come into operation on the first day of April 1906.

REPEAL.

Repeals.

38. The following Regulations and Ordinances and all Proclamations, Orders and Rules thereunder are hereby repealed.

The East Africa Game Regulations 1900.

The Game Ordinance 1904 (No. 11 of 1904).

The East Africa Game Regulations Amendment Ordinance 1905 (No. 4 of 1905).

The Game Amendment Ordinance 1905 (No. 6 of 1905).

The Game Ordinance 1906 (No. 2 of 1906).

Savings.

Provided as follows:—

- (1) Where any legal proceedings have been begun under the said repealed Regulations or Ordinances the same shall be continued as if this Ordinance had not been made.
- (2) Any person who has before the first day of April 1906 committed any offence against any of the said repealed Regulations or Ordinances or has committed any breach of any conditions prescribed on any license granted thereunder shall be proceeded against and punished as if this Ordinance had not been made.

SCHEDULES.**FIRST SCHEDULE.**

Animals not to be hunted, killed or captured, by any person, except under Special License.

1. Giraffe
2. Buffalo
3. Elephant (having tusk ivory weighing less than 60 lbs).
4. Vulture (any species).
5. Secretary-bird.
6. Owl (any species).
7. Ostrich (female or young).
8. Greater Kudu (District of Baringo only).
9. Rhinoceros, on the North side of the Uganda Railway and within ten miles thereof between Sultan Hamud Station and Machakos Road Station.

SECOND SCHEDULE.

Animals, the females of which are not to be hunted, killed, or captured, when accompanying their young, and the young of which are not to be captured except under Special License.

1. Rhinoceros.
2. Hippopotamus
3. Zebra.
4. Chevrotain (Dorcatherium).
5. All antelopes or Gazelles not mentioned in the First Schedule.
6. Elephant.

THIRD SCHEDULE.

Animals, limited numbers of which] may be killed or captured under a Sportsman's or Public Officer's License.

Kind.	Number allowed
1. Elephant (having tusk ivory weighing not less than 60 lbs.)	2
2. Rhinoceros.	2
3. Hippopotamus.	2
4. Zebra.	2
5. Antelopes and Gazelles—	
Class A.	
Eland (Taurotragus)	1
Oryx (Gemsbuck Calotis or Beisa.)	2
Hippotragus (Sable.)	1
" (Roan)	1
Strepsicerus (kudu) (except in the Baringo District)	2
Topi (Damaliscus Jimela.)	2
Neumann's Hartebeest (Bubalis Neumanni.)	2
Bongo (Boocercus Eurycerus Isaaci.)	1
6. Colobi and other fur monkeys	2
7. Aard-Varks (Oryctopus)	2
8. Cheetah (Cynaelurus.)	2
9. Aardwolf (proteles)	2
10. Ostrich (male only)	2
11. Marabout.	2
12. Egret of each species.	2
13. Antelopes and Gazelles—	
Class B.	
Any species other than those in Class A	10
14. Chevrotains (Dorcatherium)	10
Topi (Jubaland only)	8

FOURTH SCHEDULE.

Animals limited number of which may be killed or captured under a Settler's License.

Kind.	Number of animals allowed.
1. Hippopotamus	2.
2 The following Antelopes and Gazelles only.	5 animals in all in any calendar month, made up of animals of a single species or of several; provided, however, that not more than 10 animals altogether of any one species shall be killed during the period for which the license is available other than Grant's Gazelle, Thomson's Gazelle, Jackson's & Coke's Hartebeest (Bubalis), Reed Buck.
(I) Grant's Gazelle.	
(II) Thomson's Gazelle.	
(III) Jackson's & Coke's Hartebeest (Bubalis)	
(IV) Impala (Aepyceros)	
(V) Reedbuck (Cervicapra)	
(VI) Duiker (Cephalophus)	
(VII) Klippspringer (Oreotagus)	
(VIII) Steinbuck (Rhaphiceros)	
(IX) Waterbuck (Cobus)	
(X) Wilderbeest (Gnu) Connochaetes.	
(XI) Bushbuck (Tragelaphus Roualeyni)	
(XII) Paa (Medoqua & Nesotragus).	

FIFTH SCHEDULE.**GAME RESERVE.**

1. An area bounded by:—

- (1) The North-Eastern limit of the Uganda Railway Zone from the Tsavo river to the bridge across the Ngong river, near Nairobi.
- (2) By the right bank of the Ngong river to the edge of the Kikuyu forest and along the edge of the forest to the Mbagathi river to its source.
- (3) By a line drawn from the source of the Mbagathi river straight across the Northern slope of Donyo Lamuyu (Ngongo Bagas), thence across Suswa to Mau Escarpment, which it follows South to the Guaso Nyiro and thence to the German frontier thence following the German frontier to the Tsavo river.
- (4) By the left bank of the Tsavo river from its source to its intersection by the Uganda Railway.

The aforesaid area shall be known as the Southern Game Reserve.

II An area bounded by:—

- (1) On the North by the 3rd parallel of Latitude.
- (2) On the East by the 39th meridian of Longitude.
- 3 (On the south by the Guaso Nyiro from the point at which it is intersected by the 39th Meridian of Longitude to its junction with the Guaso Narok, and then by a line drawn from the said point of junction to the source of the small stream (Mungatan) entering the North Easternmost Bay of Lake Baringo, following this Stream down stream, the boundary line continues along the North shore of Lake Baringo and thence is drawn Northwestward to the Western source of the River Oron in the Kamasia Mountains, from this point the line is carried in a North-Westerly direction along the Northern flanks of the Kamasia and Elgeyo Plateaux till it reaches the right bank of the river Weiwei or Turkwell.
- 4) The river Weiwei or Turkwell on the West by following the right bank thereof down stream to Lake Rudolph.

The aforesaid area shall be known as the Northern Game Reserve.

III All Forest Areas proclaimed under the provisions of the "East Africa Forestry Regulations 1902".

SIXTH SCHEDULE.
GAME REGISTER.

Species.	Number.	Sex.	Locality.	Date.	Remarks.

I declare that the above is a true record of all animals killed by me in the Protectorate under the license granted me on the _____ 190.
Passed

190
(Signature of examining Officer.)

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

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 24th day of April, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 10 OF 1906.

Regulation of Townships.

1. This Ordinance may be cited as the Township Ordinance 1906 and shall be read as one with "The East Africa Township Ordinance 1903" hereinafter referred to as the Principal Ordinance. Short Title.

2. The Commissioner may fix such penalties for the breach or non-observance of any Rule made under the Principal Ordinance, as he may think proper, not exceeding imprisonment of either kind for two months or a fine of Rupees two hundred or both, and in the case of a continuance of the breach or non-observance of any Rule after notice of the existence of such breach or non-observance shall have been given in the manner prescribed by any Rule to the person offending, a daily penalty during the continuance of the breach or non-performance, not exceeding Fifteen rupees in addition to any other penalty imposed by or under this Section, and where no penalty is imposed by the Rules the breach or non-observance of any Rule shall be punishable to the extent aforesaid. Penalties.

Any penalty imposed by or under this Section shall be in addition to, and not in substitution for, any other penalty to which an offender may have rendered himself liable.

Provided that no person shall be punished twice for the same offence.

3. When by or by virtue of any Rule under the Principal Ordinance any person is ordered to do any act, work or thing or to cause any work or thing to be done and such person fails to comply with such order the officer or other person or persons authorised on that behalf by any Rule may cause the work or thing to be done and may recover before a Magistrate the expense incurred by him or them in so doing from the person in default. Power to authorise persons to do work and to recover the expenses thereof from the person in default.

4. The Commissioner may by rule order that all fees and charges levied and collected under any rule or rules made under the Principal Ordinance shall be devoted to Municipal purposes in the township in which such fees are collected, or that some of the fees and charges so levied shall be devoted to such purposes, or that specific fees or charges shall be devoted to some particular Municipal purpose. Power to order that fees & charges levied under rules shall be devoted to Municipal purposes.

5. Section 6 of the Principal Ordinance is hereby repealed.

Nairobi,

Dated this 24th day of April, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 17th day of May, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 11 OF 1906.

1. (1) Any Officer of the Survey Department and such other persons as may be authorised by any such Officer, may for the purposes of the survey of the lands of the Protectorate enter upon any land, whether privately owned or not, and may erect and maintain thereon observation stations and other works and may remove the same, and may for the purposes of the said observation station and other works or for the purposes of survey cut, use or remove any growing timber.
- (2) No compensation shall be paid to the owner or occupier of any land by reason that an entrance has been made upon such lands by a person or persons authorised under Sub-Section 1, or by reason that land has been occupied by an observation station or other works; but when timber has been cut, or damage has been done to any growing crops, compensation for the timber cut, or crops so damaged shall be paid to the owner of such timber or crops.
2. This Ordinance may be cited as "The East Africa Lands Survey Ordinance 1906."

J. HAYES SADLER

His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 5th day of June 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 12 OF 1906.

Diseases of Animals.

It is hereby enacted as follows:—

1. This Ordinance may be cited as "The Diseases of Animals Amendment Ordinance 1906" and shall be read as one with "The Diseases of Animals Ordinance 1906."
2. The Diseases of Animals Ordinance 1906 shall be amended to the extent following:—
 - (1) To the diseases specified in Section 2 Sub-section (4) there shall be added "Rabies" and "Epizootic Lymphangitis," and there shall be omitted from the said diseases "Ulcerative Lymphangitis."
 - (2) For the words "and any other contagious or infectious disease of animals" at the close of the last mentioned Sub-section there shall be substituted the words "and any other contagious or infectious disease of animals that the Commissioner may by Proclamation declare to be included in the definition for the purpose of this Ordinance."
 - (3) From Section 5 Sub-section (1) there shall be omitted the word "into."

J. HAYES SADLER

His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,
The 8th day of June, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 13 OF 1906.

Registration of Mohamedan Marriages and Divorces.

It is hereby enacted as follows:—

1. This Ordinance may be cited as "The Mohamedan Marriage and Divorce Registration Ordinance, 1906". Short Title.

2. In this Ordinance the following terms shall have the meanings hereby assigned to them that is to say:— Definition.

Registrar General shall mean the Registrar General of Mohamedan Marriages and Divorces duly appointed under this Ordinance.

Registrar shall mean a Registrar of Mohamedan Marriages and Divorces duly appointed under this Ordinance.

Purdah Nisheen shall mean a woman who according to the custom of the country might reasonably object to appear in a public office.

3. The Commissioner shall appoint a Registrar General of Mohamedan Marriages and Divorces. Appointment of Registrar General.

4. The Commissioner shall appoint suitable persons being Mohamedans to be Registrars of Mohamedan Marriages and Divorces and shall prescribe a District for each such Registrar within which he shall register Mohamedan Marriages and Divorces under this Ordinance Provided that it shall be lawful for the Commissioner to appoint a Registrar for each sect or community in any District. Appointment of Registrar.

5. The Registrar General and every Registrar shall use a seal bearing such inscription as the Commissioner may authorise. Seal.

6. The Registrar General shall supply for the office of each Registrar the seal and books necessary for the purposes of this Ordinance and the pages of such book shall be consecutively numbered in print and the number of pages in each book shall be certified on the title page thereof by the Registrar General. Supply of Seal and Books.

7. Every Registrar shall keep the following registers:—

(a) Register of Marriages in the form prescribed by Schedule I of this Ordinance. Registers to be kept

(b) Register of Divorces in the form prescribed by Schedule II of this Ordinance.

8. All entries in each register prescribed by this Ordinance shall be numbered in a consecutive series which shall commence and terminate with each year; a fresh series being commenced at the beginning of each year. Entries to be numbered.

9. The parties to a Marriage or divorce recognised by Mohamedan law or if the man or the woman or both be minors their respective lawful guardians shall register such marriage or divorce with a Registrar within seven days from the celebration of such marriage or the pronouncement of such divorce as the case may be.

Method of application for registration.

10. Every application for registration under this Ordinance shall be made to the Registrar orally as follows :—

(a) If the application be for the registration of a Marriage.

By the parties to the marriage jointly, provided that if the man or the woman or both be minors application shall be made on their behalf by their respective lawful guardians and provided further that if the woman be a purdah-nisheen such application may be made on her behalf by her duly authorised wakil.

(b) If the application be for the registration of a Divorce.

By the parties to the Divorce jointly, provided that if the woman be a purdah-nisheen such application may be made on her behalf by her duly authorised wakil.

Duties of Registrar on Application.

11. On application being made to a Registrar for registration under this Ordinance of a Marriage or Divorce the Registrar shall:—

(a.) Satisfy himself whether or not such marriage or divorce was effected by the person or persons by whom it is represented to have been effected.

(b.) Satisfy himself as to the identity of the persons appearing before him and alleging that the marriage or divorce has been effected.

(c.) In the case of any person appearing as the representative of the man or woman (whether he appear as Guardian or Wakil) satisfy himself of the right of such person to appear.

If the Registrar be satisfied on the above points and not otherwise, he shall make an entry of the marriage or divorce in the proper register :

Provided that no such entry shall be made otherwise than in the presence of every person who by Section 13 of this Ordinance is required to sign such entry.

Fees payable for Registration.

12. There shall be payable to the Registrar in respect of every registration of a marriage and in respect of every registration of a divorce such sum as the Commissioner by rules may prescribe.

Signatures to Entries.

13. Every entry in a register kept under this Ordinance shall be signed as follows :—

(a.) If the entry be of a Marriage :—

(1.) By the parties to the marriage or if either or both of them be minors by their lawful guardians respectively, provided that if the woman be a purdah-nisheen the entry may be signed by her duly authorised wakil.

(2.) By two witnesses who were present at the marriage ceremony.

(3.) In cases in which the woman is represented by a wakil by two witnesses to the fact of the wakil being duly authorised to represent her.

(4.) By the Registrar.

(b) If the entry be of a divorce :—

(1.) By the parties to the divorce provided that if the woman be a purdah nisheen the entry may be signed on her behalf by her duly authorised wakil.

(2.) By the person who identifies the man.

(3.) By the person who identifies the woman.

(4.) In cases where the woman is represented by a wakil by two witnesses to the fact of the wakil having been duly authorised to represent her.

(5.) By the Registrar.

Copies of entry to be given to parties.

14. On completion of the registration of any marriage or divorce the Registrar shall deliver free of any charge to each of the applicants for registration an attested copy of the entry.

Index to be kept up.

15.—(i) Each Registrar shall prepare a current index of the contents of the register of marriages and the register of divorces and every entry in such index shall be made, so far as practicable, immediately after the Registrar has made an entry in any such register

Particulars in index.

(ii) The index shall contain the name, place of residence and father's name of each party to every marriage or divorce and the date of registration. It shall also contain such other particulars and shall be prepared in such form as the Commissioner by rules may direct.

Copies of register and index to be sent to the Registrar General.

16. Every Registrar shall at the expiration of every month send to the Registrar General certified copies of all entries made by him during the month in the Register of Marriages and in the Register of Divorces and also of all entries made in the current index in accordance with the provisions of Section 15 of this Ordinance and the Registrar General shall on receiving such copies file them in his office and shall prepare alphabetical indexes of the marriages and divorces registered.

17. Every Registrar shall keep safely each register until the same shall be filled and shall then, or earlier if he cease to act as Registrar in the District or for the Sect or Community prescribed by his appointment, make over the same to the Registrar General for safe custody.

Custody of Registers.

18.—(i.) Any register or index or the copy of any entries in a register or index made and certified in accordance with the provisions of section 16 of this Ordinance whether in the custody of a Registrar or the Registrar General shall on payment of the prescribed fee, be open to inspection by any person applying to inspect the same.

Inspection of registers, indexes and copies thereof. Provision for copies of entries.

(ii.) A Registrar or the Registrar General as the case may be shall on payment of the prescribed fee furnish a copy of any entry made in any register or index in his custody or in any certified copy of the entries in any register or index made in accordance with the provisions of section 16 of this Ordinance and in his custody. Such copy shall be signed and sealed by the person making the same.

(iii.) (a.) The fee payable for the inspection of any Register or Index shall be such sum as the Commissioner by rules may prescribe.

(b.) The fee payable for a copy of any entry in a Register or Index other than the first copy referred to in section 14 of this Ordinance shall be such sum as the Commissioner by rules may prescribe.

19. The Registrar General shall exercise a general superintendence and control over all Registrars appointed under this Ordinance.

Superintendence of Registrar General.

20. Any Registrar refusing to register a marriage or divorce shall make an order of refusal and record his reasons for such order in a book to be kept for that purpose.

Refusal to Register.

21. An Appeal shall lie against the order of a Registrar refusing to register a marriage or divorce to the Registrar General if made within 21 days from the date of the order and the Registrar General may reverse or alter such order and the order passed by the Registrar General on appeal shall be final.

Appeal from Refusal.

22.—(1) A Registrar or the Registrar General may correct any error in any register or index.

Correction of entries.

(2.) Correction shall be made without erasing the original entry and shall be authenticated by the signature of the person making the same.

23. The Commissioner may make rules with regard to the following matters and generally for carrying into effect the provisions of this Ordinance :—

Commissioner may prescribe rules.

(i.) For regulating the attendance of Registrars at the celebration of marriages and their remuneration for such attendance.

(ii.) For regulating the grant of copies by Registrars and the Registrar General.

(iii.) Prescribing the amount of any fee, where a fee is authorised by this Ordinance.

(iv.) For regulating the application of the fees levied under this Ordinance

24. Nothing in this Ordinance contained shall be construed to :—

Saving Clause.

(i.) Render invalid, merely by reason of its not having been registered, any Mohamedan marriage or divorce which would otherwise be valid.

(ii.) Render valid by reason of its having been registered any Mohamedan marriage or divorce which would otherwise be invalid.

(iii.) Authorise the attendance of any Registrar at the celebration of a marriage except at the request of all the parties concerned.

(iv.) Affect the religion or religious rites and usages of any person subject to this Ordinance.

(v.) Prevent any person who is unable to write from putting his mark instead of the signature required by this Ordinance.

25. Any person who being under an obligation to register a marriage or divorce under this Ordinance fails to do so within the prescribed period or refuses to state any of the prescribed particulars or wilfully gives any false information or particulars for the purpose of registration shall be guilty of an offence and shall on conviction be liable to a fine not exceeding Rs. 1,500 or to imprisonment of either kind not exceeding six months or to both.

Punishment.

26. The Commissioner may by Proclamation published in the "Official Gazette" apply this Ordinance to any area or to any tribe sect or community within any area and may by such Proclamation fix the day on which the Ordinance shall commence and take effect in such area or with regards to such tribe sect or community.

Mombasa,
The 8th day of June, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

SCHEDULE I.

Form of Register of Marriages (Sec 7.)

- (1) Consecutive No.
- (2) Names of the bridegroom and his father with their respective addresses.
- (3) Names of the bride and her father with their respective addresses.
- (4) Whether the bride is a spinster, widow or divorced from a former husband and whether she is adult or otherwise.
- (5) Name of the guardian of the bridegroom (if the bridegroom be a minor) and that of the guardian's father the guardian's address and the relationship in which he stands to the bridegroom.
- (6) Name of the guardian of the bride (if she be a minor) and that of his father, the guardian's address and the relationship in which he stands to the bride.
- (7) Name of the bride's vakil (if any) and of his father and their addresses and the relationship in which the vakil stands to the bride.
- (8) Names of the witnesses to the due authorisation of the bride's vakil (if any) with names of their fathers, their addresses and the relationship in which they stand to the bride.
- (9) Date on which the marriage was contracted (English style and according to the Mohamedan Calendar).
- (10) Amount of dower and method of payment.
- (11) Specification of property (if any) given in lieu of dower.
- (12) Name of place and district where the marriage took place.
- (13) Name of the person in whose house the marriage ceremony took place and that of his father.
- (14) Date of registration (English style).

SCHEDULE II.

Form of Register of Divorces (Sec 7).

- (1) Consecutive No.
- (2) Names of the husband and of his father and their addresses.
- (3) Names of the wife and of her father and their addresses.
- (4) Date of divorce, (English style) according to the Mohamedan Calendar.
- (5) Description of divorce.
- (6) Manner in which divorce was affected.
- (7) Name of the place and district in which the divorce took place.
- (8) Name of the party in whose house the divorce took place and of his father.
- (9) Names of witnesses to the divorce, if any, the names of their fathers and their respective addresses.
- (10) Name of person indentifying the husband before the Registrar and that of his father and their addresses.
- (11) Name of the person indentifying the wife before the Registrar and that of his father and their addresses and the relationship, if any, of such person to the wife.
- (12) Date of registration (English style).

EAST AFRICA PROTECTORATE.

AN ORDINANCE.

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 14th day of June 1906.

J. HAYES SADLER,
His Majesty's Commissioner.

No. 14 OF 1906.

Uniforms.

IT is hereby enacted as follows:—

1. This Ordinance may be cited as "The Uniforms Ordinance 1906." Short title.
2. (1) It shall not be lawful for any person not serving in His Majesty's Naval or Military forces or in any constabulary or police force in the United Kingdom or in any British Possession or Protectorate to wear without the permission of His Majesty's Commissioner the uniforms of any of those forces or any dress having the appearance or bearing any of the regimental or other distinctive marks of such uniform. Provided that this enactment shall not prevent. Wearing of uniform without authority prohibited.
 - (a.) Any person from wearing any uniform or dress in the course of a stage play performed in any place in which stage plays may lawfully be publicly performed or in the course of a music hall or circus performance, or in the course of any bona fide military representation. Saving for theatrical performances.
 - (b.) Any person from wearing khaki or other material of which the said uniform be made. Saving for khaki.
 - (c.) Servants of the Government from wearing the uniform customary to their offices. Saving for Government servants.
- (2.) Any person convicted of an offence under this section shall be liable to imprisonment of either kind for a term not exceeding one month or to a fine not exceeding Rs. 100 or to both. Penalty.
3. Any person who shall unlawfully wear the uniform of any of the forces aforesaid or any dress having the appearance or bearing any of the regimental or other distinctive marks of any such uniforms, in such manner or in such circumstances as to be likely to bring contempt upon that uniform, or employs any other person to wear that uniform or dress, shall be liable on conviction to a fine not exceeding Rs. 200 or to imprisonment of either kind for a term not exceeding two months or to both. Penalty for bringing contempt on uniform.
4. (1.) No person shall import into the Protectorate or shall sell or have in his possession for sale within the Protectorate any such uniform as aforesaid or the buttons or badges appropriate thereto, unless he is in the service of the East Africa Protectorate, or has previously received in writing the permission of the Commissioner. The importation and sale of uniform etc without authority prohibited.
 - (2.) Any person convicted of an offence against this section shall be liable to a fine not exceeding Rs. 1000 or to imprisonment, of either kind not exceeding one month or to both. Penalty.
5. When any person shall be convicted of any offence against this Ordinance the uniform, dress, button, badge or other thing in respect of which the offence has been committed shall be forfeited unless His Majesty's Commissioner shall otherwise order. Forfeiture of uniform etc on conviction.
6. It shall be lawful for His Majesty's Commissioner in granting any permission under this Ordinance to limit the area within which the uniform the subject of such permission may be worn or sold, and generally to qualify such permission in such other manner as he thinks fit. Power for the Commissioner to impose restriction on permission.

J. HAYES SADLER
His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE.

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Mombasa,
Dated this 25th day of June, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 15 OF 1906.

Fire Arms.

IT is hereby enacted as follows:—

PART I.

INTRODUCTION OF ARMS AT PROTECTORATE PORTS.

1. All fire-arms or ammunition introduced in the Protectorate at any port shall be deposited at the cost, risk, and peril of the owner in a public warehouse.

Imported
Fire-arms etc.
to be deposited in
public warehouse.

2. No fire-arms and ammunition shall be withdrawn from a public warehouse, except in accordance with a permit in writing signed by a Sub-Commissioner or a Collector.

May be withdrawn
on permit.

3. Before a permit for withdrawal for use in the Protectorate is granted, every complete fire-arm and where the fire-arm is not complete, every part of a fire-arm, and every package of ammunition shall be stamped with a distinctive mark and number and registered according to such mark and number and, if necessary, according to any other existing marks and numbers.

Fire-arms etc. to be
registered and
marked.

Provided however that any fire-arm or part of a fire-arm or package of ammunition that has been registered in the Uganda Protectorate under a law similar to this Ordinance need not be again stamped and registered in the East Africa Protectorate.

4. (1) No permit shall be granted for the withdrawal of any fire-arms or ammunition intended for exportation, unless the Sub-Commissioner is satisfied (1) that they will be immediately exported to some place beyond the limits of the prohibited zone, and that they will not be fraudulently brought back into any part of the said zone, or (2) that they are destined to some place within such zone for the service or with the approval of the Government having authority there.

Withdrawal for
exportation.

(2) The Sub-Commissioner may specify in the permit the time within which the arms and ammunition are to be exported after withdrawal, and the place or places in which the same are to be secured in the interval.

5. No permit shall be granted for the withdrawal of any arms of precision or any ammunition suitable thereto intended for use in the Protectorate, unless the Sub-Commissioner or Collector is satisfied that they will not be given, assigned, or sold to any person within the Protectorate except as provided in this Ordinance. If the person applying for the permit is a subject of any European Power, a declaration by the competent authority of his Government that the arms or ammunition are destined exclusively for his personal defence will be accepted, and no other security will be required.

Withdrawal for
use in East Africa.

6. A permit for the withdrawal of fire-arms or ammunition (other than arms of precision and ammunition suitable thereto) intended for sale shall specify the store or depôt within which the same are to be kept before sale, and the region or district in which they may be sold.

Withdrawal
for sale.

7. The Sub-Commissioner or Collector may require any person applying for a permit for the withdrawal of any fire-arms or ammunition to be used by him for the purpose of killing game or other animals to take out a licence under "The East Africa Game Ordinance 1906," or any ordinance in substitution therefor, and may refuse to issue the permit until such licence is taken out. Withdrawal for killing game etc.

8. Before issuing a permit, the Sub-Commissioner or Collector may require such security to be given as he thinks fit that the provisions of this Ordinance will be complied with. Security.

9. (1) Every permit shall specify the number and description of the fire-arms and ammunition authorized to be withdrawn. The Sub-Commissioner or Collector may in his discretion limit the number of fire-arms and quantities of ammunition permitted to be withdrawn at any one time. Permit.

(2) No permit for the withdrawal of ammunition shall be granted except to a person licensed under the "Explosives Rules 1902," or any rules substituted therefor and on payment of the fees prescribed by such rules.

10. The storage of fire-arms and ammunition in a public warehouse shall be free of charge for six months after deposit. Thereafter a rent of one anna for each complete fire-arm or each part of any incomplete fire-arm, and two annas for each package of ammunition will be payable for every month during which the same is stored. Storage.

11. For the purpose of cleaning any fire-arms deposited in a public warehouse, access at reasonable times, to be fixed by the Sub-Commissioner, will be given to the owner or his agent. Such cleaning may be done at the owner's request by the persons in charge of the warehouse at reasonable charges to be fixed by the Commissioner. Cleaning.

12. A permit for withdrawal shall not be granted until all fees, rent, and other charges are paid, and where any such fees, rent or charges are in arrears and unpaid for a period of six months, the fire-arms or ammunition may be destroyed or otherwise disposed of as the Sub-Commissioner, with the approval of the Commissioner, may direct. Permit not to be granted till all charges paid.

PART II.

INTRODUCTION OF ARMS BY LAND.

13. The introduction of arms and ammunition into the Protectorate across the inland frontiers is prohibited, except in accordance with the provisions of this part of this Ordinance. Importation by land.

14. Travellers provided with a declaration in accordance with Article IX of the Brussels Act by a duly authorised official of the Government of the country of which they are subjects or citizens, that the arms and ammunition are destined exclusively for their defence, may introduce into the Protectorate the arms and ammunition specified in the declaration. Who may import.

15. (1) Porters, askaries, or natives accompanying a caravan entering the Protectorate, may carry arms and ammunition for the protection of the caravan provided that the number so carrying arms do not exceed one for every ten ordinary porters. Caravans carrying arms.

(2) The leader of any such caravan shall report to the nearest Government officer on the frontier, or if there be none at the actual frontier, then at the nearest Government station on or close to the route followed by it, the exact number of rifles or other arms carried by the men comprising it.

16. (1) Any European wishing to lead an expedition of whatever nature overland into the Protectorate from adjacent German, Italian or Abyssinian territory must, before such expedition is permitted to pass the boundary of the Protectorate, obtain permission for it to do so from the Commissioner, or from the Sub-Commissioner of the province which it is proposed to enter. Expedition into East Africa must obtain permit.

(2) The application for such person must be addressed to the Collector of the district, and must state the object of the expedition and the number of men and arms proposed to be introduced into the Protectorate.

17. Any person introducing arms or ammunition into the Protectorate in breach of this part of this Ordinance shall be guilty of an offence, and the arms and ammunition shall be liable to confiscation. When importation by land an offence.

PART III.

DEALING IN FIRE-ARMS.

Permission to
sell &c. fire-arms.

18. Arms of precision, and any ammunition suitable to or intended for them, shall not be sold, transferred, or received within the Protectorate except by permission of a Sub-Commissioner or Collector in writing, signed by him on the note of sale or transfer or otherwise as seems fit.

When sale &c.
an offence.

19. If any person imports, exports, sells, buys, transfers, keeps, uses, possesses, or deals with any fire-arms or ammunition in contravention of this Ordinance, he shall be guilty of an offence.

Persons dealing
in arms &c. for
sale to make
returns.

20. Every person dealing with arms or ammunition for sale (other than arms of precision and ammunition suitable thereto) shall forward to the Commissioner a half yearly Return in the prescribed form at the prescribed dates giving the number and amount of the arms and ammunition sold during the preceding period, and the region or district for use in which they were purchased, and also the number and amount of the arms and ammunition in stock.

Special registration
of arms for sale.

21. All fire-arms imported solely for the purpose of sale shall be registered as such at the Office of a Sub-Commissioner.

Inspection of arms
for sale.

22. A Sub-Commissioner, or such person or persons as may be appointed by a Sub-Commissioner for the purpose, shall have power at all times to inspect any fire arms possessed solely for the purpose of sale.

PART IV.

GUN TAX.

Gun Tax.

23. Every person in the Protectorate who possesses, uses, or carries fire-arms shall take out a yearly licence in respect of every such fire-arm so possessed, used, or carried by him and shall save as hereinafter provided pay a fee (hereinafter called the Gun-tax) in respect of every license: provided that no tax shall be payable in respect of a fire-arm possessed by a recognised dealer in fire arms solely for the purpose of sale within the Protectorate and that the Holder of a Bird Licence under the Birds Protection Regulations 1901 or any Ordinance in substitution therefor shall not be required to pay a tax in respect of any one smooth bore shot gun.

When payable.

24. The licence shall be taken out and the Gun-tax paid upon the day the fire-arm is withdrawn from the public warehouse under part I of this Ordinance or introduced into the Protectorate under Part II. of this Ordinance, or, if acquired in the Protectorate, on the day on which it first comes into the possession of any person, and thereafter upon the 1st January in every succeeding year during which it remains therein.

Exemption to
holder of Game
Licence.

25. (1) Persons holding licences under the Game Regulations or any Ordinance in substitution therefor shall be exempt from the Gun-Tax, and any person who may be allowed thereafter to take out a licence under such Regulations or Ordinance shall have such sum as he shall have paid in respect of gun tax on or after the 1st January immediately preceding the date of such licence, deducted from the cost thereof.

(2) Provided that every person having in his possession any fire-arm, whether he be the holder of a licence under the Game Ordinance, or the Birds Protection Regulations or not, shall on the 1st day of January in every year make a return to the Collector of the district in which he then is, stating the number and description of any arms then in his possession, and shall, if so required by the Collector, produce all or any of such arms for inspection.

Exemption to
holder of Bird
Licence.

26. Persons holding licenses under the Birds Protection Regulations 1901 or any Ordinance in substitution therefor shall be exempt from the gun tax in respect of any one smooth bore shot gun, and any person who has paid such gun tax and who may be allowed thereafter to take out a Bird Licence shall have the sum paid for such tax due on and after the 1st January immediately preceding the date of his Bird Licence, deducted from the cost thereof.

Canon & machine
guns.

27. No person residing in or passing through the Protectorate may own, possess, use, or carry any cannon or machine gun without a special licence by His Majesty's Commissioner. Every cannon or machine gun which at the date of this Ordinance is not held under such special licence must be forthwith re-exported or delivered to His Majesty's Commissioner for safe custody. In

default thereof, the same may be seized by or under the orders of any officer of the Administration, and any Magistrate may, after due enquiry, declare the same to be forfeited, and the person possessing such cannon or machine gun shall pay all costs incurred in and about the seizure and forfeiture of the said cannon or machine gun.

28. A gun in respect of which a licence has been obtained by any Chief or employer may be used or carried under such licence by any follower or servant of his for any lawful purpose. Use &c. of guns by followers and servants.

29. Notwithstanding anything hereinbefore contained it shall be lawful for any person to use and carry a duly registered gun lent to him for the temporary purpose of destroying any venomous snake, crocodile, or other reptile, and no person shall be convicted of a breach of this Ordinance if he shall satisfy the Magistrate before whom he is charged that he was using or carrying the gun for such purpose only. Guns lent, when may be used.

30. When a licence has been granted in the Uganda Protectorate under the Uganda Arms Ordinance 1906 or any Regulations or Ordinance amending the same or under any Regulations or Ordinance exempting the holder from taking out a licence under the said Uganda Arms Ordinance, or any amendment thereof, that licence shall have the same force and effect in the East Africa Protectorate in all respects as if the licence had been granted under this Ordinance, provided that such licence shall be first endorsed by a Collector or other officer of the East Africa Protectorate duly authorized to grant licenses under this Ordinance. Uganda licences valid in East Africa.

31. The Collector or other duly authorised officer before whom the licence mentioned in the last section is produced shall endorse the same with a note that the licence has been produced before him and shall append the date of production and his signature thereto. Collector to endorse Uganda licences.

32. This Ordinance shall not apply to any officer or servant in the service of the Imperial Government or of the Government of the East Africa Protectorate in respect of his carrying or using a fire-arm, when so required, for the purpose of his duties as such officer or servant, nor to any member of Rifle Corps formed under the East Africa Volunteer Reserve Ordinance 1905 in respect of a rifle issued by the Government to him, and no gun tax shall be charged in respect of any one military rifle of the pattern used by the regular troops, imported by a member of such a corps for the purpose of the Volunteer Reserve, nor in respect of any one revolver or pistol possessed by a public officer or servant. Exemptions.

PART V.

GENERAL.

33. It shall be lawful for any Magistrate, if satisfied by information on oath that any fire-arms or ammunition are being unlawfully kept, conveyed, landed, or sold in contravention of this Ordinance at any place, whether a building or not, or in any ship or vehicle, to grant a warrant to enter at any time, and, if need be, by force, on Sundays as well as on other days, the place, ship, or vehicle named in such warrant, and every part thereof, and to examine the same, and to search for any fire-arms or ammunition unlawfully kept therein, and to demand from the owner or occupier thereof the production of his licence or authority for keeping, conveying, landing or selling the same. Search warrants.

34. When the officer or other person executing such warrant has reasonable cause to believe that any fire-arms or ammunition found by him in any place, ship, or vehicle are being kept, conveyed, landed, or sold in contravention of this Ordinance, he may seize and detain the same until a Magistrate has decided whether they are liable to be forfeited or not. Seizure of arms &c.

35. Any person acting under such warrant shall not be liable to any suit for seizing or detaining any fire-arms or ammunition, subject, or presumably subject, to the provisions of this Ordinance. Person executing warrants not liable to suit.

36. Fire-arms and ammunition belonging to, or imported for the use of, the Government of the Protectorate are exempted from the provisions of this Ordinance, but any person unlawfully possessing or dealing with any such fire arms or ammunition shall, nevertheless, be guilty of an offence against this Ordinance, and punishable accordingly. Exemption of Government arms &c.

37. Every officer of the East Africa Protectorate shall be permitted to introduce one rifle, one shot gun, one revolver, and 300 rounds of ammunition into the Protectorate free of duty. Exemption to public officers.

- Penalties. 38. Any person contravening any provision of this Ordinance shall be guilty of an offence, and shall, on conviction be liable to a fine not exceeding 1,500 rupees, or imprisonment of either kind which may extend to twelve months, and all the fire-arm, parts of a fire-arm, or ammunition in respect of which the offence is committed may be forfeited.
- Central office. 39. (1) There shall be established at Mombasa under the control of the Collector or such other officer as His Majesty's Commissioner may appoint a central office for recording all permits and licences issued within the Protectorate under this Ordinance, the East Africa Game Ordinance 1906, and the Birds Protection Regulations 1901 or any Ordinance substituted therefor.
- (2) It shall be the duty of every Collector or Assistant Collector in charge of a district to transmit to the central office at the beginning of every month a record of all permits and licences issued within his district under this Ordinance or under any of the Ordinances or Regulations mentioned in the preceding subsection during the preceding month.
- (3) Every person shall before leaving the Protectorate send to the central office a statement in writing giving the number and description of all fire-arms which he intends to export from the Protectorate, and shall, if so required by the Collector at the place or port at which he intends to leave the Protectorate produce for inspection any fire-arms in his possession.
- A return of fire-arms to be made by persons before leaving the Protectorate.
- Interpretation. 40. In this Ordinance—
- “Fire-arm” means any cannon, gun, rifle, machine-gun, or other fire-arm, whether whole or in detached pieces.
- “Ammunition” means any gun-powder, cartridges, balls, caps, and any other materials for loading fire-arms.
- “Arms of precision” means any breech-loading or other rifle, or any magazine-gun or machine-gun.
- “Public warehouse” means any building or place which the Commissioner shall by proclamation proclaim appoint for the deposit and storage of fire-arms and ammunition, and for the other purposes of this Ordinance.
- “Sub-Commissioner” means, in relation to any province of the Protectorate, the Sub-Commissioner of that province.
- “Collector” means, in relation to any district of the Protectorate the Collector of that district.
- “Prohibited zone” means the zone specified in Article VIII of the Brussels Act.
- Repeals. 41. The following enactments are hereby repealed :—
- The East Africa Fire-Arms Regulations 1896 (No. 18 of 1896).
No. 10 of 1897.
No. 7 of 1898.
The gun Tax Regulations 1902. (No. 13 of 1902).
The East Africa Gun Tax Amendment Ordinance 1903 (No. 14 of 1903).
The East Africa Fire-Arms Ordinance 1904. (No. 6 of 1904).
- Short title. 42. This Ordinance may be cited as “The East Africa Arms Ordinance 1906.”

J. HAYES SADLER
His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 6th day of July, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 16 OF 1906.

IT is hereby enacted as follows:—

1. This Ordinance may be cited as the "East Africa Arms Amendment Ordinance 1906" and shall be read as one with the "East Africa Arms Ordinance 1906" hereinafter referred to as the Principal Ordinance.

2. The amount of the fee referred to in the Principal Ordinance as the "Gun Tax" to be paid in respect of a licence to possess, use or carry a fire-arm shall be three rupees.

J. HAYES SADLER

His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

August 5th, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 17 OF 1906.

Restriction of Immigration

IT is hereby Enacted as follows:—

PART I.

1. This Ordinance may be cited as the "Immigration Restriction Ordinance 1906."

2. In this Ordinance the following terms shall have the respective meanings hereby assigned to them unless the context otherwise requires; that is to say:—

"The Protectorate" shall mean the East Africa Protectorate.

"The Principal Immigration Officer" shall mean the officer appointed by the Commissioner to have charge of the administration of this Ordinance.

"Immigration Officer" shall mean the Principal or any Assistant Immigration Officer, or any other officer appointed by the Commissioner for the purposes of this Ordinance.

3. The Commissioner shall appoint an officer, (hereinafter referred to as Appointments. the Principal Immigration Officer), to have charge of the Administration of this Ordinance, and may appoint such number of assistants to the Principal Immigration Officer as he may deem fit.

4. This Ordinance shall not apply to:—

Exempted persons.

(a) Any person possessed of a certificate in the form set out in Schedule A. of this Ordinance and signed by the Immigration Officer.

- (b) The Officers and crews of His Majesty's fleet or of the fleet of any friendly power.
- (c) Any member of His Majesty's military forces.
- (d) Any person duly accredited to the Protectorate by or under the authority of the Imperial or any other Government.
- (e) Any person the subject of a Foreign Power having treaty rights within the dominions of the Sultan of Zanzibar who is not a prohibited immigrant under Section 5 of this Ordinance and who is possessed of a guarantee in the form set out in Schedule B. of this Ordinance signed by the local Consular representative of such power.
- (f) The wife, and any child appearing to the Immigration Officer to be under the age of sixteen, of a person not being a prohibited immigrant, provided they are not themselves prohibited immigrants under Sub-sections (b) (c) (d) (e) or (f) of section 5 of this Ordinance.
- (g) Any person who shall satisfy an Immigration Officer that he has been formerly domiciled in the Protectorate and that he does not come within the meaning of any of the sub-sections (b), (c), (d), (e) and (f), of Section 5 of this Ordinance.

Prohibited Immigrants.

5. The immigration into the Protectorate by land or sea of any person being or appearing to be of any of the classes defined by the following sub-sections, hereinafter called "Prohibited Immigrant," is prohibited; that is to say:—

- (a) Any person without visible means of support, or any person who is likely to become a pauper or a public charge.
- (b) Any idiot or insane person.
- (c) Any person suffering from a loathsome or a dangerous contagious disease.
- (d) Any person, who, not having received a free pardon, has been convicted in any country of murder or any offence for which a sentence of imprisonment has been passed for any term, and who by reason of the circumstances connected therewith is deemed to be an undesirable immigrant; but this provision shall not apply to offences of a political character not involving moral turpitude.
- (e) Any prostitute, and any person living on or receiving or who may have lived on or received any part of the proceeds of the prostitution of others.
- (f) Any person deemed by the Immigration Officer to be an undesirable immigrant in consequence of information or advice received from any Secretary of State or Colonial Minister, or through diplomatic channels or any Minister of a Foreign Country, or from any other trusted source.

PART II.

- 6. (I.) Any person desiring to enter the Protectorate shall before being allowed to do so, appear before the Immigration Officer who shall, after such examination as he may consider necessary, inform such person and the master of the ship, if any, which has conveyed him to the Protectorate, whether he is a prohibited immigrant or not. Provided that if such person withholds or conceals from the Immigration Officer any fact or information which would bring such person within any of the classes of prohibited immigrants defined in Section 5 of this Ordinance, he shall be deemed to have contravened this Ordinance.
- (II.) If such person appear on examination to be a fit and proper person to be received as an immigrant into the Protectorate, the Immigration Officer shall furnish him with a certificate in the form set out in Schedule A. of this Ordinance.

Examination of Immigrants.

Power of Police to prevent entry.

7. Any police officer or Immigration Officer may, subject to the provisions hereinafter contained, prevent any prohibited immigrant from entering the Protectorate by land or sea.

Unlawful entry of prohibited immigrants.

8. Any prohibited immigrant making his way into or being found within the Protectorate shall be deemed to have contravened this Ordinance. Any person convicted under this Section may, in addition to liability to removal or

otherwise, be imprisoned with or without hard labour for any term not exceeding six months. Provided that such imprisonment shall cease if and when arrangements are made for the deportation of the offender from the Protectorate.

9. No person who comes within the definition of a prohibited immigrant shall be released from the operation of this Ordinance, or allowed to be or remain in the Protectorate, merely because he has not been notified not to land, or because he may have been allowed to land through oversight or through want of knowledge that he was a prohibited immigrant. Proof adduced within twelve months after any person has entered the Protectorate that he is of any of the classes whose entry is prohibited shall be sufficient evidence that such person was a prohibited immigrant, and such person shall be liable to be then dealt with as a prohibited immigrant.

Prohibited immigrant not released by mere entry.

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 such person may be handed over to the custody of the Master of the ship who shall be obliged to receive and keep him on board.

Summary arrest.

11. Any person appearing to be a prohibited immigrant within the meaning of Section 5 of this Ordinance, and not coming within the meaning of any of the sub-sections (b), (c), (d), (e) or (f) of the said section 5, may be allowed to enter the Protectorate upon the following conditions:—

Entry permitted under conditions.

- (a) He shall before landing deposit with the Immigration Officer,
 - (i) if a native of Asia or Africa, the sum of Rs. 50.
 - (ii) Any other person, the sum of Rs. 750.
- (b) If such person shall, within one week after entering the Protectorate, obtain from the Immigration Officer a certificate that he does not come within the prohibition of this Ordinance his deposit shall be returned.
- (c) If such person shall fail to obtain such certificate within one week his deposit may be forfeited and he may be treated as a prohibited immigrant.

In case of any person entering the Protectorate under this section no liability shall attach to the vessel or the owners of the vessel in which he may have arrived at any port of the Protectorate.

12. The Commissioner may authorise the Principal Immigration Officer to make a contract with the master, owners, or agent of any vessel for the conveyance of any prohibited immigrant found in the Protectorate to a port in or near to such immigrant's country of birth and any such immigrant with his personal effects may be placed by a police officer on board such vessel.

Contract for return of prohibited immigrant.

13. Any person who shall be instrumental in bringing into the Protectorate any idiot or insane person without a written or printed authority signed by the Principal Immigration Officer shall be deemed to have contravened this Ordinance and in addition to any other penalty shall be liable for the cost of the maintenance of such idiot or insane person whilst within the Protectorate.

Bringing insane persons into the Protectorate.

14. Any Immigration Officer shall for the purpose of this Ordinance be empowered to board as often as may be necessary all ships entering inward at any port of the Protectorate in the performance of his duties under this Ordinance.

Boarding vessels.

15. The Master of a ship arriving in any Protectorate port shall, upon being thereto requested by the Immigration Officer at such port, furnish to him a list in duplicate signed by himself of all passengers and other persons then on board not forming a portion of the regular crew of the vessel.

List of passengers when required.

16. A Master shall, if required thereto prior to his departure from port, produce his Articles and muster his crew, and if it be found that any person named in the Articles, who in the opinion of the Immigration Officer would be a prohibited immigrant, is not then present, such person shall be deemed to have entered the Protectorate contrary to this Ordinance, but the Master and Agents of the ship, provided they have made proper provision to prevent desertion shall not be responsible for any contravention of the provisions of this Section.

Crew may be mustered before departure.

Punishment by
Magistrate of a
member of crew.
Order for return
in custody to ship

17. Should the Master of a ship charged any member of his crew or stow-away or extra hand before a local Protectorate Court with a crime or offence committed at some time prior to arrival or during the vessel's stay in Port the magistrate may, at the request of the Immigration Officer and on representation by the Immigration Officer that the accused is a prohibited immigrant, in awarding punishment, order that, on expiry of the sentence or on the sooner readiness of his vessel to proceed to sea, the prisoner be taken from gaol and conducted in custody aboard his ship for conveyance away from the Protectorate. Any person contemplated by this Section brought before a Magistrate and discharged shall be ordered by the Magistrate to be immediately conveyed back to his ship. An order shall not be made under this Section in any case in which the Magistrate deems the crime or offence proper for trial in a higher court.

Regulation of
intercourse between
shore and vessel.

18. Whenever it shall be deemed necessary for the effective carrying out of this Ordinance to regulate intercourse from the shore with any vessel in a port having on board any prohibited immigrant, the Principal Immigration Officer may take such steps, with the approval of the Commissioner, as may appear proper in that behalf.

Liability of Master
and Owner.

19. The Master and Owner of any ship from which any prohibited immigrant may be landed or may land shall be liable jointly and severally to a penalty not exceeding Rs. 1,500 and not less than Rs. 375 in respect of each such prohibited immigrant landed or who may land and the vessel may be refused a clearance outwards until any penalty incurred has been paid and until provision has been made by the master to the satisfaction of the Principal Immigration Officer for the conveyance out of the Protectorate of each prohibited immigrant who may have been so landed, and the vessel may be made executable by a decree of His Majesty's High Court of the Protectorate or other Courts in which the owner is justiciable in satisfaction of any penalty imposed under this Section.

The word "clearance" as used in this Ordinance includes all the documents ordinarily issued by the Collector of Customs to a ship about to leave Port, including the document known as the Bill of Health.

PART III.

Visiting and
Embarkation
Passes.

20. Any person being a prohibited immigrant within the meaning of this Ordinance may apply to an Immigration Officer for a pass to enter the Protectorate for a temporary visit, or for the purpose of embarking at a Port in the Protectorate for some other country. Such passes shall be known as visiting passes and embarkation passes respectively and shall be in the forms prescribed by the Rules made under this Ordinance.

Enquiry and
deposit before
granting Passes.

21. The applicant shall attend before the Immigration Officer and shall answer all such questions as the Officer may put in order to satisfy himself that the pass ought to be granted and shall deposit with him the appointed sum of money, that is to say:—

- (a) For a visiting Pass the sum of Rs. 150, with an additional sum of Rs. 150 where the pass includes the wife and children of the applicant.
- (b) For an Embarkation Pass the sum of Rs. 150 for each adult and Rs. 75 for each child.

The word "Child," as used in this and the succeeding Sections, means a person appearing to the Immigration Officer to be under the age of sixteen years.

Separate passes for
adults other than
husband and wife.

22. Except in the case of a person accompanied by his wife and children a separate pass shall be required for each person seeking to enter the Protectorate for the purpose of a visit or for embarking.

Passes not granted
as of right.

23. No person shall be entitled of right to obtain a visiting pass or an embarkation pass and the Immigration Officer appointed to issue such passes shall have the discretion to grant or refuse any such pass, subject, however, to any direction which may be given him by the Principal Immigration Officer or by the Commissioner.

Period of Pass and
Extension.

24. A Visiting Pass shall be sufficient authority for the person or persons named therein to enter the Protectorate and to remain there during the period stated in the pass. Such period shall not exceed twenty one days but any Immigration Officer appointed under the Ordinance may, for sufficient reason appearing, extend the period from time to time by an endorsement on the pass. No extension shall be made for more than fourteen days at a time, and no such pass shall be extended beyond six weeks from the date of the pass except with the consent of the Commissioner.

25. The money deposited for a Visiting pass shall be returned to the depositor upon the passholder quitting the Protectorate within the time named in the pass or any extension thereof. Return of Deposit for a Visiting Pass.

26. An Embarkation Pass shall be sufficient authority for the person or persons named therein to enter the Protectorate and to proceed with all reasonable speed to the Port specified therein for the purpose of embarking by the first available opportunity for the destination stated in the pass. Effect of Embarkation Pass.

27. An Embarkation Pass shall not be extended save by the Principal Immigration Officer for sufficient cause to him appearing. Extension.

28. The money deposited for an Embarkation Pass shall be at once applied on the application of the person to whom it was granted and so far as the sum shall suffice for the purpose of obtaining a passage for the person or persons named in such pass to the specified place or destination. Any balance of the money deposited shall be returned to the depositor upon the sailing of the ship or may in the discretion of the Immigration Officer be expended in any other necessary or proper manner by desire of the depositor. Disposal of deposit for Embarkation Pass.

29. Any person being a prohibited immigrant within the meaning of this Ordinance who shall enter the Protectorate in pursuance of a Visiting Pass or an Embarkation Pass, and who shall remain in the Protectorate beyond the time allowed by such pass or by a lawful endorsement thereon, or who may misuse such pass, or allow any fraudulent use to be made of it, shall be deemed to have contravened this Ordinance, and shall upon conviction suffer forfeiture of the amount deposited by him and may be imprisoned with or without hard labour, for any term not exceeding six months. Provided that such imprisonment shall cease if and when arrangements are made for the deportation of the offender from the Protectorate. Penalty for outstaying time allowed by Pass. Other offences.

PART IV.

30. Any person appearing to an Immigration Officer under this Ordinance to be over the age of sixteen years shall be regarded as an adult for the purposes of this Ordinance. Definition of adult.

31. The Commissioner may from time to time make, amend, and repeal rules for the better carrying out of the provisions of this Ordinance. Rules.

32. Any person who shall by false declaration obtain either for himself or for another person, neither being entitled thereto, any certificate or document intended to secure the entry into the Protectorate of any person in breach of the provisions of this Ordinance and any person who may fraudently use any such certificate or other document, shall be guilty of a contravention of this Ordinance. Falsely obtaining documents.

33. The following shall be contraventions of this Ordinance. Contraventions.

- (a) Assisting any prohibited immigrant to enter the Protectorate, or knowingly being a party to the introduction of any person of the class (e) of Section 5 hereof.
- (b) Aiding or abetting a prohibited immigrant or any other person in any contravention of this Ordinance or of any Rules for the time being published hereunder.
- (c) Resisting or obstructing actively or passively any immigration Officer in the execution of his duty.
- (d) Wilfully disobeying or disregarding any obligation imposed by or any lawful order made under this Ordinance or the Rules for the time being published hereunder.

34. Every person guilty of a contravention of this Ordinance or of any Rule for the time being published hereunder shall, where no penalty is expressly imposed, be liable to a fine not exceeding Rs. 750 or, in default of payment thereof, imprisonment with or without hard labour for a period not exceeding six months, or he may be sentenced to such imprisonment without the option of a fine. Punishment.

35. Any penalty incurred by the master of a ship shall be paid before the ship's clearance is granted. Notice in writing by the Immigration Officer to the Collector of Customs of any claim against the Master, Owners or Agents of a ship for a penalty shall be a sufficient authority to him to refuse the ship's clearance until such order is withdrawn or is set aside by the order or judgment of a Court. Such a notice to the Port Officer or Harbour Master shall be Penalty incurred by ship's master.

authority to him to refuse to take a ship or allow it to go outside the Port to any outer anchorage. When such notice is given the Immigration Officer shall with all speed inform the Principal Immigration Officer and take all such steps as may be necessary in order that proceedings in respect of the contravention may be instituted without loss of time

Enforcement of
money penalty.

36. The enforcement of any money penalty may be either by criminal prosecution or by civil action at the instance of the Immigration Officer. All contraventions of this Ordinance or of the Rules for the time being published hereunder for which no special punishment is awarded, or for which no greater punishment than a penalty of Rs. 1,500 or imprisonment with or without hard labour is imposed, shall be cognizable in the Court of any Magistrate of the first class who may in respect of any such contravention impose a penalty or punishment up to the said limits. Such imprisonment may in any criminal prosecution be awarded either absolutely or in default of the payment of a penalty. Notwithstanding the foregoing provision the Magistrate of the first class having jurisdiction at any Port where a ship is detained under authority of this Ordinance shall have jurisdiction in any Civil suit wherein a penalty not exceeding Rs. 7,500 is claimed from the master or owners or agents of the ship

Nairobi,
August 5th, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

SCHEDULE A.

THE EAST AFRICA PROTECTORATE IMMIGRATION
RESTRICTION ORDINANCE 1906.

(To whom it may concern.)

This is to certify that the person hereunder described is a fit and proper person to be received as an Immigrant into the East Africa Protectorate.

Dated at

this day of 190 .

Signature

DESCRIPTION.

Name.
Nationality
Age.
Trade or calling.
Married or single
Height ft. ins.
General Description.
Marks.
Signature of Holder.

SCHEDULE B.

THE EAST AFRICA PROTECTORATE IMMIGRATION
RESTRICTION ORDINANCE 1906.

I (state rank, country, and where stationed) hereby certify that the bearer (name) is a subject and that he (or she) is a fit and proper person to be received as an Immigrant into the East Africa Protectorate.

L.S.

Signature.

Date.

DESCRIPTION.

Name.
 Age.
 Trade or Calling.
 Married or Single.
 Height ft. ins.
 General Description.
 Marks.
 Signature of Holder.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 10th day of September, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 18 of 1906.

1. THIS Ordinance may be cited as "The East African Rivers Ordinance 1906." Short title.
 2. In this Ordinance unless the context otherwise requires :— Interpretation of terms.
 - "River" means a River specified in the first Schedule to this Ordinance, or added thereto in the manner hereinafter provided.
 - "Vessel" means and includes any ship, boat, or canoe, or other description of vessel used in navigation however propelled.
 - "Steam Vessel" includes every description of vessel so constructed as to be propelled otherwise than by sails, oars, paddles or poles.
 3. It shall be lawful for the Commissioner to add to the rivers specified in the first Schedule the name of any other running water provided that no such addition shall be deemed to be part of the said Schedule until the expiration of two months from the publication thereof in the Gazette. Rivers may be added to schedule.
 4. It shall be lawful for the Commissioner to define the extent of any river to which this Ordinance shall apply. Any part of a river outside the portion so defined shall not be deemed to be a river for the purposes of this Ordinance. Extent of rivers may be defined.
- DREDGING.**
5. It shall not be lawful to dredge in any river without a license from the Commissioner which shall be in one of the forms in the second Schedule to this Ordinance. Any person dredging in a river without a license or contrary to the terms on the face of his license shall be guilty of an offence and shall be liable to a penalty not exceeding Rs. 750/- for every day during which the offence continues. Dredging in river to be licensed.
 6. Before any license to dredge is granted security shall be given in such terms and to such amount as the Commissioner may in each particular case direct. Security may be required.
 7. On every license to dredge the regulations set forth in the third Schedule to this Ordinance shall be endorsed : provided that the Commissioner may in his discretion require such further regulations to be endorsed in any particular case as he may think fit. Regulation on dredging license.
 8. Any person who shall act in contravention of any of the regulations endorsed upon the license under which he dredges shall be guilty of an offence and shall be liable to a penalty not exceeding Rs. 1,500/- and the holder of the license shall be liable for any damage which may have arisen in consequence of such contravention. In this and the following section non-compliance with any lawful order, direction or notice given under the regulations endorsed upon a license shall be deemed a contravention of such regulations. Contravening dredging regulations.
 9. Where in any prosecution under this Ordinance it is proved that the terms on the face of or the regulations endorsed on a dredging license have been contravened it shall be lawful for the Court subject to the approval of the Commissioner, to cancel such license in addition to imposing any penalty prescribed by the Ordinance. Contravention of dredging license may entail cancellation.

STEAM VESSELS.

Steam vessels on
rivers to be licensed.

10. (1) The master of every steam vessel on a river shall take out a license for such vessel.

(2) Steamer licenses shall be in the form B. in the second Schedule to this Ordinance and shall be granted by the Commissioner or such officer as he shall appoint. Every such license shall commence on the day on which it is granted and shall terminate on the 31st day of December following.

(3) The master of any steam vessel who fails to comply with this section shall be guilty of an offence and shall be liable to a penalty not exceeding Rs. 75/-

(4) In this section "Master" shall include "owner" and "agent for the owner."

Rules.

11. The Commissioner may from time to time make, amend and revoke rules

(a) with respect to steam vessels on any river.

(b) with respect to the use of any river for the transport of floating timber.

(c) for regulating the traffic on any river, and

(d) generally for the purpose of protecting and improving the navigability of any river ;

and may for the breach of any such rule impose a penalty not exceeding Rs. 75/-.

Any such rules, amendments or revocations shall come into force on their publication in the Gazette or on such later date as may be therein declared.

Fees.

12. For every license taken out under this Ordinance there shall be payable the fee prescribed therefor in the fourth Schedule hereto.

Schedule I.

Rivers to which this Ordinance applies :—The Juba and its Tributaries.

The Ozi.

The Tana.

Schedule II.

LICENSES.

A—(Dredging License.)

The East African Rivers Ordinance 1906.

License to dredge

(1) State river.

License is hereby granted to _____ (1) river to dredge in the

(2) State limits
within which
license applies.

within the following limits, that is to say ;

(2)

This license does not empower the licenses to dredge for minerals or precious stones.

This license is in force for one year from the date hereof.

Dated at _____ this _____ day of _____ 190 .

B—(Steamer license.)

The East African Rivers Ordinance 1906.

Steamer License.

(1) Name of vessel
(2) launch or tug
or yacht, as the
case may be.

The (1) _____ (2) _____ owned by _____ of
is hereby licensed for the _____ river.

This license expires on the 31st day of December, 190 .

Commissioner.

Schedule III.**REGULATIONS.****TO BE ENDORSED ON DREDGING LICENSES.**

1. In these Regulations "Inspector" shall mean some officer appointed by the Commissioner to inspect dredging.

2. The Licensee shall give due notice to the Inspector stating when he wishes to commence dredging and at what part of the river.

No dredging or operations connected therewith shall be commenced until the consent of the Inspector is given in writing.

The licensee shall give every facility to the Inspector to examine such plans and documents relating to the dredging or operations connected therewith and to make copies of the same and to take such soundings and measurements, as he may think fit.

3. The licensee shall not move his dredging operations from one part of the river to another without the consent of the Inspector in writing; he shall, as far as possible, conduct operations continuously along and across the bed of the river from the starting point to the limits to which his license applies so as not to form isolated holes or deep places.

4. The licensee shall arrange his dredgers, barges, boats, posts, chains, anchors and all other apparatus appertaining thereto, so that they in no way obstruct or interfere with the navigation of the river.

5. The dredgers shall be constructed and shall have such additional apparatus that the tailings therefrom shall not be deposited in such a manner as to form groins or shoals in the bed of the river.

6. If in the opinion of the Inspector the dredging or any operations connected therewith have caused any groin, shoal, deposit or other obstruction to be formed either at or near the site of such operations or in any other part of the river which causes or tends to cause erosion or other danger to the stability of the bed of the river, or to the navigation, such groin, shoal, deposit or other obstruction shall be removed immediately upon the receipt of a written notice from the Inspector.

7. If in the opinion of the Inspector the dredging or any other operations connected therewith have caused, or tend to cause erosion or other damage or danger to the bed or banks of the river or to the navigation the licensee shall construct and fix such temporary timber groins, sheet piling, fascines or other works to the satisfaction of the Inspector as may be necessary to remedy or prevent such damage, and, if necessary, dredging operations shall be suspended until such works are completed and proved satisfactory. Such works shall be carried out, moved and removed immediately upon the receipt of a written notice from the Inspector.

8. If the river in which the dredging operations are being carried on be a tributary of another river, and in the opinions of the Inspector the carrying on of such operations has caused silt, mud, or other material to be washed down the tributary stream into the main river and has there caused shoals or other obstructions to navigation to be formed, or damage, or danger to the bed or banks of the river, the licensee shall be held responsible and regulations 6 and 7 shall apply to such main river as if it was the river in which the licensee was carrying on dredging operations.

9. The licensee shall be liable for and shall indemnify the Government and every officer thereof against all accidents, injuries, damages, trespass and losses caused or arising either directly or indirectly by reason of or in connection with the dredging operations or works pertaining thereto.

10. In case, and so often as any question, difference or dispute shall arise as to the true intent and meaning of these Regulations or any part thereof every such question, difference or dispute shall be referred to the sole arbitration and award of the Commissioner and his decision shall be binding and final.

Schedule IV.

				Rs.
For dredging license A...	...	...	...	15
For steamer license B...	...	...	...	15

J. HAYES SADDLE
His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated the 18th day of September, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 19 of 1906.

The Legal Practitioners' Ordinance 1906.

IT is hereby enacted as follows:—

1. This Ordinance may be cited as "The Legal Practitioners' Ordinance 1906."
2. Every person who (not being an enrolled Pleader, or a Notary Public) for or in expectation of any fee, gain, or reward, either direct or indirect, draws or prepares any instruments relating to immovable property shall be guilty of an offence and shall be liable to a fine not exceeding 750 rupees.

Provided as follows:—

- (1) This section does not extend to—
 - (a) Any public officer drawing or preparing instruments in the course of his duty; or
 - (b) Any person employed merely to engross any instrument.
- (2) The expression "instrument" in this section includes every document which confers, or purports to confer, declare, limit, or extinguish any right, title, or interest, whether vested or contingent to in or over immovable property other than
 - (a) a will or other testamentary instrument;
 - (b) documents relating to immovable property of less value than 500 rupees;
 - (c) a lease for a term not exceeding three years;
3. Every instrument drawn or prepared by a Pleader or a Notary Public shall be endorsed with the name of the Pleader or of the Notary Public by whom such instrument shall have been drawn or prepared.

4. In this Ordinance

The term "Enrolled Pleader" shall mean a person enrolled as a pleader of the High Court of the East Africa Protectorate and holding a certificate then in force.

The term "Notary Public" shall mean a person enrolled under the Notaries Public Ordinance 1906 or any Ordinance amending the same and holding a certificate then in force.

J. HAYES SADLER

His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 21st day of September, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

No. 20 of 1906.

The Book and Newspaper Registration Ordinance 1906.

IT is hereby enacted as follows:—

Short title.

1. This Ordinance may be cited as "The Newspaper Registration Ordinance 1906."

Interpretation.

2. In this Ordinance, unless there is anything in the context repugnant thereto, "Registrar" means the Chief Registrar of the High Court; "Registry Office" means the principal office for the time being of the Registrar; "Newspaper" means any paper containing public news or occurrences, or any

remarks or observation thereon printed for sale and published periodically or in parts or numbers at intervals not exceeding two months between the publication of any two such papers, parts, or numbers.

“Book” includes every volume, part or division of a volume, pamphlet, sheet of letterpress, newspaper, sheet of music, map, chart, or plan separately produced, but does not include price lists, annual reports, trade circulars, trade advertisements, or other legal or business documents.

“Occupation” when applied to any person means his trade or following, and if none, then his rank or usual title ;

“Proprietor” shall mean and include as well the sole proprietor of any newspaper, as also in the case of a divided proprietorship the persons who, as partners or otherwise, represent and are responsible for any share or interest in the newspaper as between themselves and the persons in like manner representing or responsible for the other shares or interests therein, and no other person.

3. A register of the proprietors of newspapers shall be established.

Register of newspaper proprietors to be established.

4. (1) It shall be the duty of the printers and publishers for the time being of every newspaper to make or cause to be made to the Registry Office within one month after the commencement of this Ordinance, or in the case of a newspaper first published after the commencement of this Ordinance, within one month after the first publication, and thereafter annually in the month of January in every year a return of the following particulars according to the Form A in the Schedule hereto annexed, namely :—

Annual returns to be made.

(a) the title of the newspaper.

(b) the names of all the proprietors of the newspaper, with their respective occupations, places of business, if any, and places of residence, and

(c) the total and average (according to the dates of publication) circulation thereof for the year.

(2) When any newspaper is the property of a limited liability company or other joint stock company then in addition to the names of the company and the registered office of the company the name and address of the manager or other chief officer and of each of the directors resident in the Protectorate shall be entered in the return to be made under the foregoing subsection.

5. If such return be not made by any newspaper within the period aforesaid, then each printer and publisher of such newspaper shall be liable to a fine of 300 rupees and also to be directed by a summary order to make a return within a specified time.

Penalty for omission to make returns.

6. Any party to a transfer or transmission of or dealing with any share or interest in any newspaper whereby any person ceases to be a proprietor, or any new proprietor is introduced, may at any time make or cause to be made to the Registry Office a return according to Form B in the schedule hereto annexed and containing the particulars therein set forth.

Power to party to make return.

7. If any person shall knowingly or wilfully make or cause to be made any return by this Ordinance required or permitted to be made in which shall be inserted the name of any person as a proprietor of a newspaper who shall not be a proprietor thereof, or in which there shall be any misrepresentation or from which there shall be any omission in respect of any of the particulars by this Ordinance required to be contained therein, whereby such return shall be misleading ; or if any proprietor of a newspaper shall knowingly and wilfully permit any such return to be made which shall be misleading as to any of the particulars with reference to his own name, occupation or place of business or residence ; then and in every such case every offender shall be liable to a fine of 1,500 rupees.

Penalty for wilful misrepresentation in or omission from return.

8. It shall be the duty of the Registrar to forthwith register every such return in a book to be called “the register of newspaper proprietors.” Any person may search and inspect the said book from time to time during the hours of business at the Registry Office : and any person may, on payment of a fee of one rupee, require a copy of an entry in or an extract from the book to be certified by the Registrar.

Registrar to enter returns in register. Power to search register etc.

9. Every copy of an entry in and every extract from the register purporting to be certified by the Registrar shall be received as conclusive evidence of the contents of the register so far as the same appear in such copy or extract without proof of the signature thereto ; and every such certified copy or extract shall in all proceedings, civil or criminal, be accepted as sufficient *prima facie*

Certified copies in and extract from register to be evidence.

evidence of all matters thereby appearing, unless and until the contrary thereof be shown. A certificate purporting to be signed by the Registrar that he has received no return, or no return before a certain date, with regard to a particular newspaper shall in all proceedings, civil or criminal, be accepted as sufficient *prima facie* evidence of the fact of such non receipt.

PART II.

REGISTRATION OF BOOKS.

Copies of books printed after commencement of Ordinance to be delivered gratis to Government.

10. Printed or lithographed copies of the whole of every book which shall be printed or lithographed in the British East Africa Protectorate after this Ordinance shall come into force, together with all maps, prints or other engravings belonging thereto, finished and coloured in the same manner as the best copies of the same, shall notwithstanding any agreement (if the book be published) between the printer and publisher thereof, be delivered by the printer at such place and to such officer as the Commissioner shall, by notification in the "Official Gazette," from time to time direct, and free of expense to the Government as follows, that is to say:—

- (a) in any case, within one calendar month after the date on which any such book shall first be delivered out of the press, one such copy, and
- (b) if within one year from such day the Commissioner shall require the printer to deliver other such copies not exceeding two in number then within one calendar month after the day on which any such requisition shall be made by the Commissioner on the printer, another such copy, or two other such copies as the Commissioner may direct, the copies so delivered being bound, sewed, or stitched together and upon the best paper on which any copies of the books shall be printed or lithographed.

The publisher or other person employing the printer shall, at a reasonable time before the expiration of the said month, supply him with all maps, prints, and engravings, finished and coloured as aforesaid, which may be necessary to enable him to comply with the requirements aforesaid.

Nothing in the former part of this section shall apply to any second or subsequent edition of a book in which edition no additions or alterations either in the letter-press or in the maps, prints, or other engravings belonging to the book have been made, provided that a copy of the first or some preceding edition of such book has been delivered under this Ordinance.

Receipt for copies delivered under last foregoing section.

11. The Officer to whom a copy of a book is delivered under the last foregoing section shall give to the printer a receipt in writing therefor.

Disposal of copies delivered under section 10.

12. The copy delivered pursuant to clause (a) of the first paragraph of section 10 of this ordinance shall be disposed of as the Commissioner shall from time to time determine.

Any copy or copies delivered pursuant to clause (b) of the said paragraph shall be transmitted to the British Museum or His Majesty's Principal Secretary of State for the Colonies, or to the British Museum and the said His Majesty's Principal Secretary of State for the Colonies as the case may be.

Penalty for not delivering books or not supplying printer with maps.

13. If any printer of any such book as is referred to in section 10 of this Ordinance shall neglect to deliver copies of the same pursuant to that section, he shall, for every such default, forfeit to the Government such sum, not exceeding fifty rupees, as a Magistrate having jurisdiction in the place where the book was printed may, on the application of the Officer to whom the copies should have been delivered, or of any person authorised by that officer in this behalf, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum, such further sum as the Magistrate may determine to be the value of the copies which the printer ought to have delivered.

If any publisher or other person employing any such printer shall neglect to supply him, in the manner prescribed in the second paragraph of section 10 of this Ordinance, with the maps, prints or engravings, which may be necessary to enable him to comply with the provisions of that section, such publisher or other person shall, for every such default, forfeit to the Government such sum, not

exceeding, fifty rupees, as such a Magistrate as aforesaid may, on such an application as aforesaid, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum such further sum as the Magistrate may determine to be the value of the maps, prints or engravings which such publisher or other person ought to have supplied.

14. Any sum forfeited to the Government under the last foregoing section may be recovered under the warrant of the Magistrate determining the sum, or of his successor in office, in the manner authorised by the Code of Criminal Procedure for the time being in force, and within the period prescribed by the Indian Penal Code for the levy of a fine.

Recovery of forfeitures and disposal thereof and of fines.

All fines or forfeitures under this Part of this Ordinance shall, when recovered be disposed of as the Commissioner shall from time to time direct.

15. There shall be kept at such office, and by such officer as the Commissioner shall appoint in this behalf, a book to be called a Catalogue of books printed in the British East Africa Protectorate wherein shall be registered a memorandum of every book which shall have been delivered "pursuant to clause (a) of the first paragraph of section 10" of this Ordinance.

Registration of memoranda of books

Such memorandum shall (so far as may be practicable) contain the following particulars (that is to say);

Contents of memorandum.

(1) the title of the book and the contents of the title page, with a translation into English of such title and contents when the same are not in the English language.

(2) the language in which the book is written :

(3) the name of the author, translator or editor of the book, or any part thereof :

(4) the subject :

(5) the place of printing, and the place of publication :

(6) the name or firm of the printer, and the name or firm of the publisher :

(7) the date of issue from the press or of the publication :

(8) the number of sheets, leaves or pages :

(9) the size :

(10) the first, second, or other number of the edition :

(11) the number of copies of which the edition consists :

(12) whether the book is printed or lithographed :

(13) the price at which the book is sold to the public : and

(14) the name and residence of the proprietor of the copyright or of any portion of such copyright.

Such memorandum shall be made and registered in the case of each book as soon as practicable after the delivery of the "copy thereof pursuant to clause (a) of the first paragraph of section 10".

Registration of memorandum.

16. The memoranda registered during each quarter in the said catalogue shall be published in the Official Gazette as soon as may be after the end of such quarter, and a copy of the memoranda so published shall be sent to the said Secretary of State.

Publication of memoranda registered sending copies.

PART III.

MISCELLANEOUS.

17. (1) The printer of every book shall print on the first and last page of it his name and the place of printing, and (if the book be published) the name and address of the publisher.

Printer's name to be printed on all books printed & the publisher's name to be printed in all books published.

(2) Whoever shall print any book without complying with the requirements of the last preceding sub-section, and whoever shall sell or publish or disperse, or assist in publishing or dispersing any book on which the name of the printer and the place of printing or the name and address of the publisher shall not be printed as aforesaid, shall for every copy printed, sold, published or dispersed be liable to a fine of 75 rupees.

18. All fines under this Ordinance may be recovered before a Magistrate of the first class. Summary orders under this Ordinance may be made by a Magistrate of the first class and may be enforced in the manner provided by the Civil Procedure Code for enforcing a decree.

Recovery of fines and enforcement of order.

19. This Ordinance does not apply to any book printed by or on behalf of the Government.

20. The Commissioner shall have power to make such rules as may be necessary or desirable for carrying out the objects of this Ordinance.

Power to make rules.

21. The Commissioner may, by notification in the Official Gazette, exclude any class of books from the operation of the whole or any part or parts of this Ordinance.

Power to exclude any class of books from operation of Ordinance.

J. HAYES SADLER
His Majesty's Commissioner.

THE SCHEDULE.

**RETURN MADE PURSUANT TO THE NEWSPAPER REGISTRATION
ORDINANCE 1906.**

A.

Title of newspaper.	Name of proprietors.	Occupations of proprietors.	Places of business of proprietors.	Places of residence of proprietors.	Period of publication.	Total circulation.	Average circulation.

This return was received by me on the day of 190 .

Registrar.

B.

Title of newspaper.	Name of persons who cease to be proprietors.	Name of person who become proprietors.	Occupation of new proprietors.	Places of business of new proprietors.	Places of residence of new proprietors.

This return was received by me on the day of 190 .

Registrar.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Nairobi,
Dated this 28th day of September, 1906.

J. HAYES SADLER
His Majesty's Commissioner

No. 21 OF 1906.

IT is hereby enacted as follows:—

1. This Ordinance may be cited as "The Notaries Public Amendment Short title. Ordinance 1906" and shall be read as one with the "Notaries Public Ordinance 1906," hereinafter referred to as the Principal Ordinance.

2. The Commissioner shall have power to direct the Registrar of the Notaries Public of England, Scotland or Ireland may be licensed to practise in the Protectorate. High Court to grant a license under the Principal Ordinance to a person who has proved to the satisfaction of the Commissioner that he is entitled to practise as a Notary Public in England, Scotland or Ireland.

J. HAYES SADLER
His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Majesty's Commissioner for the East Africa Protectorate.

Mombasa,
Dated this 30th day of November 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 22 OF 1906.

Registration of Boats at Lamu.

1. All boats plying for hire in the harbour of Lamu shall be registered Boats in Lamu to be licensed. and licensed by the Port Officer or his representative at Lamu.

Licenses shall be for one year only and shall be renewable on the first day of October in each year.

2. The charge for a license shall be in accordance with the scale laid down Fees to be paid in accordance with schedule. in the schedule hereto annexed.

3. The number of passengers each boat is allowed to carry shall be entered Load limit to be entered on license. on the license, and the registered number of each boat shall be legibly painted on both sides of the bow thereof

4. No boat shall carry at any one time more than the number of passengers No boat to carry more passengers than are allowed by the license. allowed by the license.

5. A copy of the tariff of fares annexed hereto shall be printed on the back Tariff of fares to be printed on license. The license to be produced when asked for of each license. The license shall be produced when asked for by a passenger.

Boat owners may not refuse to take fares.

6. No boat owner or member of a boat's crew, while plying for hire and disengaged, shall refuse to accept an engagement, or shall demand fares in excess of those laid down in the tariff annexed hereto.

Penalty on owners of boat not licensed for plying for hire.

7. The owner of any boat not licensed under this Ordinance which shall ply for hire in the harbour of Lamu shall be guilty of an offence and shall be liable to a fine not exceeding 75 rupees and in default of payment to imprisonment of either description for a term not exceeding one month.

Penalty.

8. The owner or member of the crew of any boat licensed under this Ordinance who shall be guilty of any breach of the provisions of this Ordinance or of the license shall for every offence be liable to a fine not exceeding 150 rupees and in default to imprisonment of either description which may extend to two months.

Title.

9. This Ordinance may be referred to as "The Lamu Boat Registration Ordinance 1906".

J. HAYES SADLER
His Majesty's Commissioner

Schedule.

SCALE OF FEES UNDER SECTION 2.

TABLE OF FEES FOR LICENSES FOR BOATS AT LAMU AND SHELLA.

Class III Passenger boats from 1 to 3 tons...	Rs	5 per year.
" II " " " 4 to 6 " ... "	10	" "
" I " " " over 7 " ... "	12	" "

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.
6 a.m. to 8 p.m. per passenger single trip.	3 annas	4 annas	4 annas	2 annas
Minimum.	8 annas	1 Rupee	1 Rupee	4 annas
Maximum.	12 annas	1½ Rupee	1½ Rupee	6 annas
per box (personal luggage).	1½ annas	2 annas	2 annas	1 anna
Tariff for cargo per 100 packages.	10 Rupees	12 Rupees	12 Rupees	10 Rupees

NOTE:—For each passenger double journey double the above fares; Between 8 p.m. and 6 a.m. double the above fares.

Four annas may be charged for every hour's detention.

Rupees six for a whole day	Boats Class I.
" Four " " half " " " " I.	
" Five " " whole " " " " II.	
" Three " " half " " " " II.	
" Three " " whole " " " " III.	
" Two " " half " " " " III.	

Note whole day 6 a.m. to 6 p.m.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

An Ordinance enacted by His Majesty's Commissioner for the East Africa Protectorate.

Mombasa,
Dated this 6th day of December, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

No. 23 OF 1906.

Police.

1. This Ordinance may be cited as the "East Africa Police Ordinance 1906." Short title.

2. The following words and expressions in this Ordinance shall have the meaning assigned to them unless there be something in the subject or context repugnant to such construction that is to say:— Interpretation clause.

The words "District Superintendent" shall include any Assistant District Superintendent or other European police officer in charge of a police district.

The word "property" shall include any moveable property, money or valuable security.

The word "cattle" shall besides horned cattle include camels, horses, asses, mules, sheep, goats and swine.

The word "carriage" includes any wheeled thing on which men or goods are carried however drawn or impelled, or set or kept in motion, except a railway engine, carriage or truck.

3. There shall be established in the Protectorate a police force, which shall be constituted in the manner provided by this Ordinance, and shall consist of such number of officers and men who shall receive such pay as shall from time to time be ordered by the Commissioner subject to the sanction of a Secretary of State. Constitution of Police force.

4. The Superintendence of the police throughout the Protectorate shall vest in, and be exercised by the Commissioner and, except as authorized under the provisions of this Ordinance, no person, officer, or Court shall be empowered by the Commissioner to appoint, supersede, or control any police functionary. Superintendence vested in the Commissioner.

5. (1) The Administration of the police throughout the Protectorate shall be vested in an officer to be styled the Inspector General of Police and in such Deputy Inspector General and Assistant Inspector General as to a Secretary of State shall seem fit. Inspector General of Police.

(2) The Administration of the police in districts shall under the control and direction of the officer administering the police in the Protectorate be vested in a District Superintendent and such Assistant District Superintendent or European Inspectors as the Commissioner shall deem necessary. District Superintendents.

(3) In any district where there is a force of police but no Superintendent or European officer in charge the Collector or Acting Collector shall have charge of the police force in that district and shall have powers of a District Superintendent as far as regards discipline, duties, pay and distribution of men. Collectors.

6. The Inspector General, Deputy Inspector General, Assistant Inspector General, District Superintendents, Assistant District Superintendents and European Inspectors shall from time to time be appointed by a Secretary of State or by the Commissioner with the sanction of the Secretary of State and may be removed by a Secretary of State. Appointment of superior officers.

Powers of Inspector General and Deputy Inspector General.

7. The Inspector General of Police and the Deputy Inspector General shall have the full powers of a Magistrate throughout the Protectorate, but shall exercise such powers subject to such limitation as may, from time to time, be imposed by the Commissioner.

Appointment dismissal and punishment of officers other than those mentioned in section 6.

8. (1) The appointments of all police officers other than those mentioned in Section 6 of this Ordinance, shall, subject to such rules (if any) as the Commissioner shall from time to time sanction, rest with the Inspector General, Assistant Deputy Inspector General and District Superintendents or Assistant District Superintendents of Police, who may under such rules as aforesaid, at any time dismiss, suspend or reduce any police officer whom they think remiss or negligent in the discharge of his duty or unfit for the same ; or may, subject to such rules as aforesaid, award any one or more of the punishments hereinafter specified to any police officer who is guilty of any of the following offences :—

- (1) Drunkenness.
- (2) Drinking on duty.
- (3) Insubordination.
- (4) Showing disrespect to a superior officer.
- (5) Striking a superior officer.
- (6) Violation of duty or wilful breach or neglect of any rule or regulations or lawful order made by a competent authority.
- (7) Malingering.
- (8) Destroying or doing away with kit or equipment.
- (9) Incurring debts either in or out of the force.
- (10) Making false statements on joining the police force.
- (11) Withdrawing from the duties of his office without permission or failing (without reasonable cause) to report himself at the expiration of his leave.
- (12) Any act, conduct, disorder or neglect to the prejudice of good order and discipline :—

Punishments.

- (1) Suspension.
 - (2) Reduction.
 - (3) Confinement to Barracks for a term not exceeding 28 days.
 - (4) Confinement to cells for a term not exceeding 10 days.
 - (5) Fine to any amount not exceeding one month's pay.
 - (6) Deprivation of good conduct pay and badges.
 - (7) Removal from any office of distinction or special emolument.
 - (8) Corporal punishment not exceeding 24 lashes.
 - (9) Dismissal.
- (2) Provided that :—

(1) No officer other than the Inspector General of Police shall dismiss a native Inspector or Deputy Inspector, or non-commissioned officer.

(2) No officer below the rank of the Deputy Inspector General shall award the punishments (2), (8) and (9) mentioned in the preceding sub-section or of confinement to barracks exceeding 14 days, or of confinement to cells exceeding 7 days or shall impose a fine exceeding half a month's pay.

(3) No Inspector in independent charge shall award any punishment other than confinement to barracks for a term not exceeding 7 days, confinement to cells not exceeding 3 days, or a fine not exceeding 5 rupees.

Conditions of appointments.

9. (1) Every police officer appointed under the preceding section shall serve for three months on probation, and if at the expiration of the period of probation his appointment shall be confirmed in the manner prescribed by the rules hereunder he shall be enrolled in the police force for a term of three years which term shall date from the date of his first appointment.

(2) Every such police officer on being enrolled in the police force shall be required to make the following declaration by such form of oath as he may declare to be most binding upon his conscience, or where such officer holds no oath binding upon him, by solemn affirmation.

I,.....do hereby solemnly and sincerely declare and promise that I will be faithful and bear true allegiance to His Majesty King Edward VII his heirs and successors and I will faithfully serve His Majesty the King for a period of three years and will obey all orders of His Majesty and of the officers placed over me, and subject myself to all Ordinances, Rules and Regulations relating to the police force of the East Africa Protectorate now in force or which may hereinafter come into force.

(3) Nothing in this section shall be deemed to prohibit the re-engagement of any police officer for a period other than three years and on such re-engagement.

ment the period of service shall be substituted for the period of three years in the declaration which such officer shall be required to make under the preceding sub-section.

10. Every police officer appointed under section 8 shall receive, on his appointment, a certificate in the form in the schedule hereto, under the seal of the Inspector General or such other officer as the Inspector General shall appoint, by virtue of which the person holding such certificate shall be vested with the powers, functions, and privileges of a police officer; such certificate shall cease to have effect whenever the person named in it ceases for any reason to be a police officer, and, on his ceasing to be such an officer, shall be forthwith surrendered by him to any officer empowered to receive the same.

Certificates to police officer.

Surrender of certificate.

A police officer shall not, by reasons of being suspended from office, cease to be a police officer. During the term of such suspension, the powers, functions and privileges vested in him as a police officer shall be in abeyance; but he shall continue subject to the same responsibilities, discipline and penalties and to the same authorities, as if he had not been suspended.

11. (1) No police officer shall be at liberty to withdraw from the duties of his office, unless expressly allowed to do so by the District Superintendent, or by some other officer authorised to grant such permission, or without leave of the Inspector General of Police to resign his office.

Police officer not to resign without leave.

(2) No Police officer shall engage in any employment or office whatever, other than his duties under this Ordinance, unless expressly permitted to do so in writing by the Inspector General.

12. The Inspector General may, from time to time subject to the approval of the Commissioner, frame such orders and rules as he shall deem expedient relative to the organisation, classification, distribution, and discipline of the police force; the places at which the members of the force shall reside, and the particular services to be performed by them; their inspection, the description of arms, accoutrements, and other necessaries to be furnished to them; the collecting and communicating of intelligence and information, and all such other orders and rules relative to the police force as the Inspector General shall, from time to time deem expedient for preventing abuse or neglect of duty, and for rendering such force efficient in the discharge of its duties.

Power of Inspector General to make rules.

13. It shall be lawful for the Inspector General or any Deputy Inspector General or Assistant Deputy Inspector General or for the District Superintendent on the application of any person showing the necessity thereof to depute any additional number of police officers to keep the peace at any place within the Protectorate, and for such time as shall be deemed proper: such force shall be exclusively under the orders of the District Superintendent, and shall be at the charge of the person making the application;

Additional police officers employed at cost of individuals.

Provided that it shall be lawful for the person on whose application such deputation shall have been made, on giving one month's notice in writing to the Inspector General, Deputy Inspector General, or Assistant Inspector General, or to the District Superintendent, to require that the police officers so deputed shall be withdrawn; and such person shall be relieved from the charge of such additional force.

14. Whenever any railway, canal or other public work, or any manufactory or commercial concern, shall be carried on, or be in operation, in any part of the country, and it shall appear to the Inspector General that the employment of an additional police force in such place is rendered necessary by the behaviour, or reasonable apprehension of the behaviour, of the persons employed upon such work, manufactory, or concern, it shall be lawful for the Inspector General, with the consent of the Commissioner, to depute such additional force to such place, and to employ the same so long as such necessity shall continue; and to make orders from time to time, upon the person having the control or custody of the funds used in carrying on such work, manufactory, or concern, for the payment of the extra force so rendered necessary, and such person shall thereupon cause payment to be made accordingly.

Appointment of additional police officers in the neighbourhood of railway and other works.

15. (1) All moneys payable under sections 13 and 14 shall be recoverable by the Magistrate of the district in the manner provided by the Code of Criminal Procedure for the recovery of fines, or by suit in a competent Court.

Recovery of moneys payable under sections 13 & 14.

(2) All moneys paid or recovered under sections 13 and 14 shall be credited to a fund to be called "The General Police Fund" and shall be applied to the maintenance of the police force under such orders as the Commissioner shall pass.

Special police officers.

16. When it shall appear that any unlawful assembly or riot, or disturbance of the peace, has taken place, or may be reasonably apprehended, and that the police force ordinarily employed for preserving the peace is not sufficient for the preservation, and for the protection of the inhabitants, and the security of property in the place where such unlawful assembly or riot, or disturbance of the peace, has occurred, or is apprehended, it shall be lawful for any police officer not below the rank of Inspector, to apply to the nearest Magistrate to appoint so many of the residents of the neighbourhood as such police officer may require to act as special police officers for such time and within such limits as he shall deem necessary; and the Magistrate to whom such application is made shall, unless he see cause to the contrary, comply with the application.

Power of special police officer.

17. Every special police officer so appointed shall have the same powers, privileges, and protection, and shall be liable to perform the same duties, and shall, save as hereafter provided, be amenable to the same penalties, and be subordinate to the same authorities as the ordinary officers of the police.

Refusal to serve as special police officer.

18. If any person being appointed a special police officer as aforesaid, shall without sufficient excuse, neglect or refuse to serve as such, or to obey such lawful order or direction as may be given to him for the performance of his duties, he shall be liable, upon conviction before a Magistrate to a fine not exceeding fifty rupees for every such neglect, refusal, or disobedience.

Authority to be exercised by police officer.

19. A Police officer enrolled under this Ordinance shall not exercise any authority except the authority provided for a police officer under this Ordinance or any law or Ordinance now in force or which may hereafter come into force conferring any powers, rights or duties upon all or any police officer.

Provisions relating to police officers serving at the time of the commencement of this Ordinance

20. All the provisions of this Ordinance (excepting section 9 (1)) and of all rules orders or regulations made in pursuance thereof, shall extend to police officers who at the commencement of this Ordinance shall be serving in the police force of the Protectorate in like manner as if such person had been appointed under this Ordinance. Provided that every such police officer other than those mentioned in section 6 shall be required within one month of commencement of this Ordinance to make the declaration prescribed in section 9 (2) of this Ordinance there being substituted for the words "for a period of three years" such periods of service not exceeding three years as shall be determined in each individual instance by the Inspector General, and any such police officer who at the expiration of one month as aforesaid shall refuse to make the declaration aforesaid shall thereupon cease to belong to or have any claim upon the police force.

Provided that any police officer serving in the police force before the date on which this Ordinance comes into force, who shall be unwilling to serve under the provisions thereof, shall have the option of resigning within one month after such date.

Police officer always on duty and may serve in any part of the Protectorate.

21. Every police officer shall, for all purposes in this Ordinance contained, be considered to be always on duty, and may at any time be employed as a police officer in any part of the Protectorate.

Duties of police officers.

22. It shall be the duty of every police officer promptly to obey and execute all orders and warrants lawfully issued to him by any competent authority; to collect and communicate intelligence affecting the public peace; to prevent the commission of offences and public nuisances; to detect and bring offenders to justice, and to apprehend all persons whom he is legally authorised to apprehend and for whose apprehension sufficient ground exists; and it shall be lawful for every police officer, for any of the purposes mentioned in this section, without a warrant, to enter and inspect any drinking shop, gambling house, or other place of resort of loose and disorderly characters.

Police may lay information.

23. It shall be lawful for any police officer to lay any information before a Magistrate, and to apply for a summons, warrant, search warrant, or such other legal process as may by law issue against any person committing an offence.

Unclaimed property.

24. It shall be the duty of every police officer to take charge of all unclaimed property, and to furnish an inventory thereof to the Magistrate of the district.

The police officers shall be guided as to the disposal of such property by such orders as they shall receive from the Magistrate of the district.

Magistrate may detain unclaimed property.

25. (1) The Magistrate of the district may detain the property, and issue a proclamation, specifying the articles of which it consists, and requiring any person who has any claim thereto to appear and established his right to the same within six months from the date of such proclamation.

(2) If the property is subject to speedy or natural decay, or the Magistrate is of opinion that its sale would be for the benefit of the owners, the Magistrate may at any time direct it to be sold.

26. (1) If no person shall, within the period allowed, claim such property or the proceeds thereof, if sold, it may if not already sold under sub-section, (2) of the last preceding section, be sold under the orders of the Magistrate of the district.

Unclaimed property to become the property of the Government.

(2) The sale proceeds of property sold under the preceding sub-section and the proceeds of property sold under section 25 to which no claim has been established, shall be at the disposal of the Government.

27. Every person having ceased to be an enrolled police officer under this Ordinance who shall not forthwith deliver up his certificate, and the clothing, accoutrements, appointments, and other necessaries, which shall have been supplied to him for the execution of his duty shall be liable, on conviction before a Magistrate, to a penalty not exceeding two hundred rupees or to imprisonment, with or without hard labour, for a period not exceeding six months, or to both.

Neglect to deliver up certificate and accoutrements on ceasing to be a police officer.

28. Every police officer who shall be guilty of striking a superior officer, or of any violation of duty, or wilful breach or neglect of any rule or regulation, or lawful order made by competent authority, or who shall withdraw from the duties of his office without permission, or who, being absent on leave, shall fail, without reasonable cause, to report himself for duty on the expiration of such leave; or who shall engage, without authority, in any employment other than his police duty; or who shall be guilty of cowardice; or who shall offer any unwarrantable personal violence to any person in his custody, shall be liable, on conviction before a Magistrate to a penalty not exceeding three months' pay, or to imprisonment, with or without hard labour, for a period not exceeding six months, or to both:

A Magistrate may punish a police officer for violation of duty etc.

Provided that no proceedings shall be taken against any police officer under this section in respect of any offence for which he has already been punished under section 8 of this Ordinance.

29. (1) The District Superintendent or Assistant District Superintendent of Police may, as occasion requires, direct the conduct of all assemblies and processions on the public roads, or in the public streets or thoroughfares and prescribe the routes by which such procession may pass.

Regulation of public assemblies.

(2) He may also, on being satisfied that it is intended by any persons or class of persons to convene or collect an assembly in any such road, street or thoroughfare, or to form a procession which would, in the judgment of the Magistrate of the District or of the sub-division of a district, if uncontrolled, be likely to cause a breach of the peace, require by general or special notice, that the persons convening or collecting such assembly, or directing or promoting such procession, shall apply for a license.

(3) On such application being made, he may issue a license specifying the names of the licensees, and defining the conditions on which alone such assembly or such procession is to be permitted to take place, and otherwise giving effect to this section.

(4) He may also regulate the extent to which music may be used in the streets on the occasion of festivals and ceremonies.

(5) Any Magistrate or District Superintendent of Police, or Assistant District Superintendent of Police or Inspector of Police, or any police officer in charge of a station, may stop any procession which violates the conditions of a license granted under the foregoing sub-section, and may order it or any assembly which violates any such conditions as aforesaid to disperse.

(6) Any procession or assembly which neglects or refuses to obey any orders given under the last preceding sub-section shall be deemed to be an unlawful assembly.

30. It shall be the duty of the police to keep order on the public roads, and in the public streets, thoroughfares, and landing places, and at all other places of public resort, and to prevent obstructions on the occasions of assemblies and processions on the public roads and in the public streets or in the neighbourhood of places of worship during the time of public worship, and in any case when any road, thoroughfare, ghat or landing place may be thronged or may be liable to be obstructed.

Police to keep order in public roads.

Penalties for disobeying orders under preceding sections.

31. Every person opposing or not obeying the orders issued under the last two preceding sections, or violating the conditions of any license granted by the District Superintendent or Assistant District Superintendent of Police for the use of music, or for the conduct of assemblies and processions, shall be liable on conviction before a Magistrate, to a fine not exceeding two hundred rupees.

Saving of control of Magistrate of District.

32. Nothing in the last three preceding sections shall be deemed to interfere with the general control of the Magistrate of the district over the matters referred to therein.

Punishment for certain offences on roads etc.

33. Any person who, on any road, or in any "open place" or street or thoroughfare within the limits of any township within the meaning of any Ordinance relating to townships, or within the limits of any place to which this section shall be specially extended by the Commissioner, commits any of the following offences to the obstruction, inconvenience, annoyance, risk, danger, or damage of the residents or passengers, shall, on conviction before a Magistrate, be liable to a fine not exceeding fifty rupees, or to imprisonment not exceeding eight days, and it shall be lawful for any police officer to take into custody, without a warrant, any person who, within his view, commits any of such offences, namely :—

First:—

Any person who slaughters any cattle or cleans any carcase; any person who rides or drives or impels any carriage or cattle recklessly or furiously, or trains or breaks any horse or other cattle.

Second:—

Any person who wantonly or cruelly beats, abuses, or tortures any animal.

Third:—

Any person who keeps any cattle or conveyance of any kind standing longer than is required for loading or unloading, or for taking up or setting down passengers, or who leaves, any conveyance in such a manner as to cause inconvenience or danger to the public.

Fourth:—

Any person who throws or lays down any dirt, filth, rubbish, or any stones or building materials; or who constructs any cowsheds, stable, or the like; or who causes or permits any offensive matters to run from any factory, dung-heap, or the like.

Fifth:—

Any person who is found drunk, riotous or disorderly or who is incapable of taking care of himself.

Sixth:—

Any person who wilfully and indecently exposes his person or any offensive deformity or disease, or commits a nuisance by easing himself, or by bathing or washing in any tank or reservoir not being a place set apart for that purpose.

Seventh:—

Any person who neglects to fence in, or duly to protect, any well, tank, or other dangerous place or structure.

Power to inspect licenses.

34. (1) A police officer may stop and detain any person whom he sees, or suspects of doing any act or thing for which a license is required by the provisions of any Ordinance or other law and may require such person to produce his license.

(2) Any person who shall fail to produce such license when called upon by a police officer may be arrested without a warrant unless he shall give his name and address to the satisfaction of the police officer.

Power to prosecute under other law not affected.

35. Nothing contained in this Ordinance shall be construed to prevent any person from being prosecuted under any other Law, Ordinance, or Regulation for any offence made punishable by this Ordinance, or from being liable under any other Law, Ordinance or Regulation to any other or higher penalty or punishment than is provided for such offence by the Ordinance.

Provided that no person shall be punished twice for the same offence.

Recovery of penalties and fines.

36. The provisions of the Indian Penal Code and of the Code of Criminal Procedure with respect to fines shall apply to penalties and fines imposed under this Ordinance, on conviction before a Magistrate.

Provided that notwithstanding anything contained in the first mentioned Code, any person sentenced to fine under section 33 of this Ordinance may be imprisoned in default of payment of such fine for any period not exceeding eight days.

37. All sums paid for the service of process by police officers, and all rewards, forfeitures, and penalties, or shares of rewards, forfeitures, and penalties, which by law are payable to informers, shall, when the information is laid by a police officer, be paid into the General Police Fund. Rewards to police to be paid into General Police Fund.

38. Notice in writing of any action and of the cause thereof against any person which may be lawfully brought for anything done or intended to be done under the provisions of this Ordinance or under the general police powers hereby given, shall be given to the defendant, or to the District Superintendent of the District in which the act was committed, one month at least before the commencement of the action. Notice of action against police officer to be given.

No plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action was brought or if a sufficient sum of money shall have been paid into the Court after such action was brought, by or on behalf of the defendant and, though a decree shall be given for the plaintiff in any such action such plaintiff shall not have costs against the defendant, unless the Judge before whom the trial is held shall certify his approbation of the action.

Provided always that no action shall in any case lie where such officers shall have been prosecuted criminally for the same act.

39. When any action or prosecution shall be brought, or any proceedings held, against any police officer for any act done by him in such capacity, it shall be lawful for him to plead that such act was done by him under the authority of a warrant issued by a Magistrate. Plea that act was done under warrant.

Such plea shall be proved by the production of the warrant directing the act and purporting to be signed by such Magistrate, and the defendant shall thereupon be entitled to a decree in his favour, notwithstanding any defect of jurisdiction in such Magistrate. No proof of the signature of such Magistrate shall be necessary, unless the Court shall see reason to doubt its being genuine.

Provided always that any remedy which the party may have against the authority issuing such warrant shall not be affected by any thing contained in this section.

40. It shall be the duty of every officer in charge of a police station to keep a general diary in such form as shall, from time to time, be prescribed by the Commissioner, and to record therein all complaints and charges preferred, the names of all persons arrested, the names of the complainants, the offences charged against them, the weapons or property that shall have been taken from their possession or otherwise, and the name of the witnesses who shall have been examined. Police officers to keep diary.

The Magistrate of the district shall be at liberty to call for and inspect such diary.

41. The Commissioner may direct the submission of such returns by the Inspector General and other police officer as to such Commissioner shall seem proper, and may prescribe the form in which such returns shall be made. The Commissioner may prescribe form of returns.

42. From the date of the commencement of this Ordinance the Indian Police Regulations Act 1861 (Act V of 1861) shall cease to be applied to the Protectorate. The Indian Police Act to cease to apply to the Protectorate.

Schedule.

FORM OF CERTIFICATE OF APPOINTMENT.

A. B. has been appointed a Police Officer under the East Africa Police Ordinance 1906 and is vested with the powers functions and privileges of a police officer.

J. HAYES SADLER
His Majesty's Commissioner.

**Rules Issued Under Section 8 of The East Africa
Police Ordinance 1906.**

1. Any Non-Commissioned Officer committing any of the offences mentioned in Section 8 of the East Africa Police Ordinance 1906 may be punished with any one or more of the following punishments :—
 1. Reprimand.
 2. A fine not exceeding one month's pay.
 3. Suspension from pay or duty up to 28 days.
 4. Reduction.
 5. Removal from any office of distinction or special emolument.
 6. Dismissal.
2. Any constable who shall be guilty of an offence mentioned in the first column of the Schedule hereto may be punished with one or more of the punishments prescribed in respect of such offence in the Second column thereof.

Schedule.

Offence.	Punishment.
1. Drunkenness.	1.3.5.6.
2. Drinking on duty.	1.3.4.5.6.9.
3. Insubordination.	1.3.4.5.6.8.9.
4. Showing disrespect to a Superior Officer.	1.3.5.6.
5. Striking a Superior Officer.	1.3.4.5.6.8.9.
6. Violation of duty or wilful breach or neglect of any rule or regulations or lawful order made by a competent authority.	3.4.5.8.9.
7. Malingering.	1.3.4.5.6.
8. Destroying or doing away with kit or equipment.	3.4.5.
9. Incurring debts either in or out of the force.	3.5.9.
10. Making false statements on joining the Police force.	3.5.9.
11. Withdrawing from the duties of his office without permission or failing (without reasonable cause) to report himself at the expiration of his leave.	3.4.5.8.9.
12. Any act, conduct, disorder or neglect to the prejudice of good order and discipline.	3.4.5.8.9.

NOTE :—The numbers in this column refer to the following punishments as numbered :—

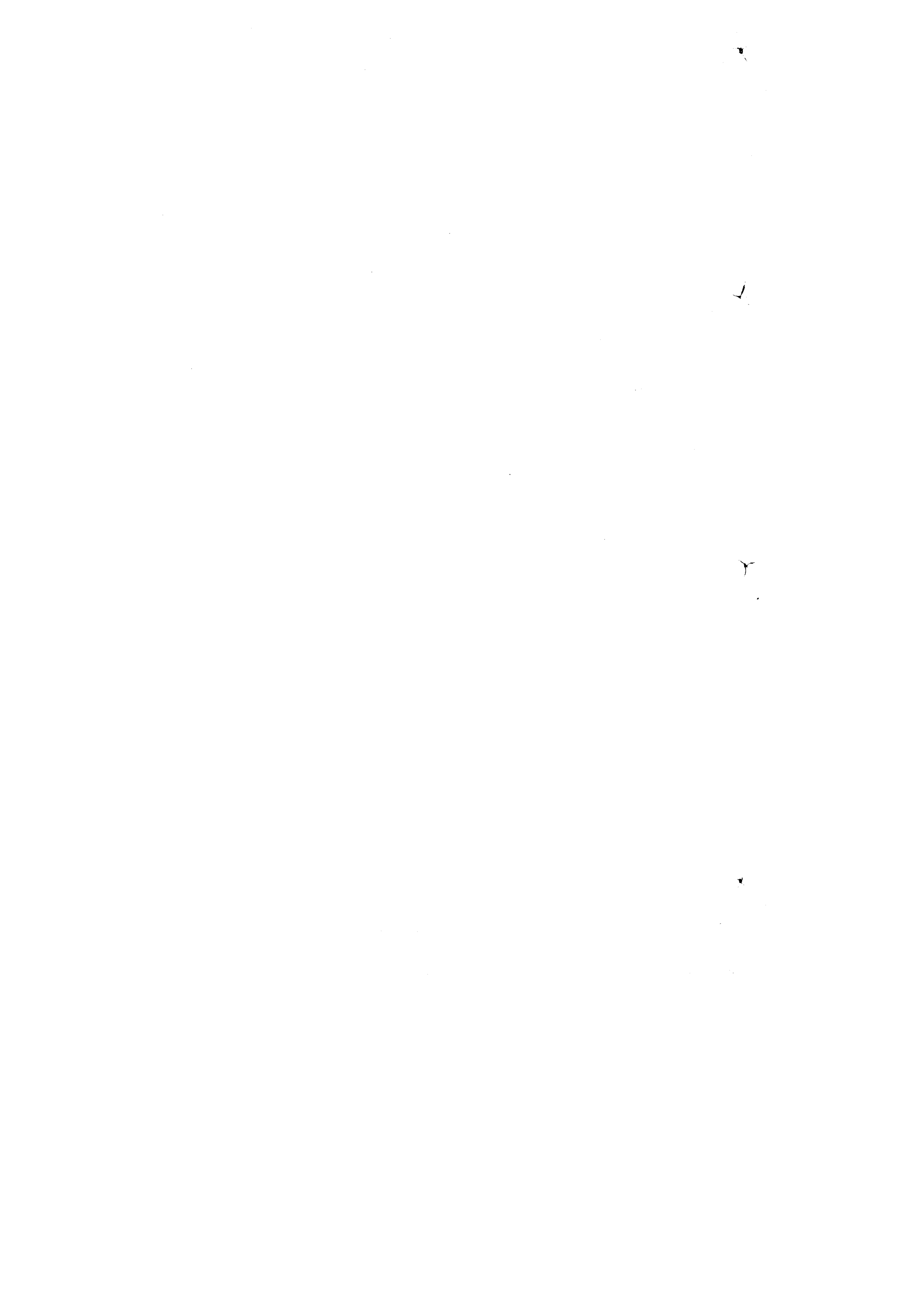
1. Suspension.
2. Reduction.
3. Confinement to Barracks for a term not exceeding 28 days.
4. Confinement to cells for a term not exceeding 10 days.
5. Fine to any amount not exceeding one month's pay.
6. Deprivation of good conduct pay and badges.
7. Removal from any office of distinction or special emolument.
8. Corporal punishment not exceeding 24 lashes.
9. Dismissal.

R. DONALD.
Inspector General of Police.

Approved.

J. HAYES SADLER.
His Majesty's Commissioner.
Mombasa, 15th December, 1906.

APPENDIX.



EAST AFRICA PROTECTORATE.

RULES.

Issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the Diseases of Animals Ordinance 1906.

Mombasa,
Dated this 23rd day of December 1905.

J. HAYES SADLER
His Majesty's Commissioner.

1. In this rules the term "the Ordinance" means the Diseases of Animals Ordinance 1906.

The term "Veterinary Surgeon" means a Member of the Royal College of Veterinary Surgeons of Great Britain, or any person possessing a Veterinary qualification recognised by that Institute as equal to their own.

The term "Inspecting Officer" shall include a Veterinary Officer, an Inspector appointed under the Ordinance and any person authorized by the Commissioner to act on that behalf;

The terms "Animals," "Stock," "Cattle," and "Diseases" shall have the same meanings as in the Ordinance.

2. (1) All animals imported into the Protectorate shall enter by one of the following Ports or places:—Mombasa, (Kilindini harbour) Taveta, Karungu, Mumias, Baringo, Kismayu, Malindi, Vanga, Kisumu and Lamu.

(2) Any person importing any animal into the Protectorate by any port or place of entry other than those sanctioned by these rules shall be guilty of a breach of these rules, and any animal so imported may be seized, whether it be in the custody of the original importer or not, and may be slaughtered or otherwise dealt with as the Commissioner may determine, and no compensation shall be paid by the Government in respect of such animal.

3. All animals shall be subjected to examination by an Inspecting Officer on entering the Protectorate and shall not be allowed to proceed until passed by the Inspecting Officer.

4. If in the opinion of an Inspecting Officer at the port or place of entry any animal is affected with a disease, or if the Inspecting Officer suspects that any animal may be affected with a disease, or if the Importer of any animal is unable to satisfy the Inspector that such animal has not during the journey or voyage of such animal to the Protectorate been in contact with a diseased animal or has not otherwise been exposed to infection, the Inspecting Officer shall order the animal to be kept in quarantine in such place and for such a period as he may determine.

5. All cattle, sheep or goats imported by sea shall be accompanied by certificates from qualified Veterinary Surgeons certifying that such animals were drawn from a district or districts free from disease and that such animals were not exposed to contagion or infection before the date of embarkation and that such animals were free from disease at the date of embarkation. The Certificates given in respect of any sheep or goats shall further certify that such sheep or goats were dipped at the port of embarkation.

6. Every head of cattle imported by sea into the East Africa Protectorate shall be accompanied by a Certificate that it has successfully passed the tuberculin test.

7. The Officer inspecting any animals imported by sea into the East Africa Protectorate may require such animals to be washed with dip before their removal from the landing station.

8. No cattle drawn from any district in any country in which the disease known as African Coast fever exists shall be imported into the East Africa Protectorate.

9. All cattle when landed shall be groomed and any ticks on their bodies removed and burned.

10. All sheep and goats shall be dipped when landed.

11. Every horse, mule or donkey imported into the East Africa Protectorate shall be accompanied by a Certificate from a Veterinary Surgeon certifying that such horse, mule or donkey has successfully passed the Mallein test and that at the date of embarkation it was free from disease and that previous to embarkation it had not been exposed to contagion or infection.

12. All swine imported by sea into the East Africa Protectorate shall be accompanied by a Certificate of health from a qualified Veterinary Surgeon and if unaccompanied by such Certificate may be required to undergo quarantine at the port or place of entry for a period not exceeding 21 days.

13. All dogs imported into the East Africa Protectorate shall be accompanied by a Certificate of health from a qualified Veterinary Surgeon. If any dog is imported from any country other than England, Australia, New Zealand, Tasmania, the Azores or St. Helena such Certificate shall shew that such dog has undergone 3 months' quarantine previous to embarkation. Any dog imported without such a Certificate shall be subjected on arrival to 3 months' quarantine at the owner's risk and expense.

14. Persons importing animals by sea are required to give notice to the Chief Veterinary Officer of the Protectorate at least three weeks before the arrival of such animals at the port of entry in the Protectorate detailing the species and number of such animals. Unless such notice is given the imported animals will be liable to detention at the coast at the owner's risk and expense.

15. Dipping and other operations under the provisions of these rules will be executed at the expense of the owner of the imported animals and at his risk.

16. (1) All animals imported into the Protectorate, otherwise than by sea, from German East Africa or from Italian Territory in East Africa must be accompanied by Certificates from the German and Italian Veterinary Officers respectively certifying that such stock are drawn from a district free from disease and that such stock have not passed through any infected district or area on their way to the boundary of the Protectorate.

(2) All animals so imported into the Protectorate shall be subjected at the place of entry to the same inspection, operations or processes for disinfection, inoculation or testing as if such stock had been imported by sea and may be detained in quarantine for such period as the Inspecting Officer may determine.

(3) The owner or person in charge of such animals shall not permit such animal to proceed into the Protectorate until it shall have been passed by the Inspecting Officer.

(4) Any stock introduced into the Protectorate in breach of any of the provisions of these rules may be seized together with the produce thereof, whether it be in the custody of the original importer or not, and may be slaughtered or otherwise dealt with as the Commissioner may determine and no compensation shall be paid by the Government in respect of such stock or the produce thereof.

17. (1) The owner of any land finding the carcass of any stray stock upon his land shall either bury such carcass, or give notice of the presence of such carcass to the police, and shall take all reasonable precautions to prevent such carcass being disposed of otherwise than by being buried or burned.

(2) The Police on receiving notice of the presence of the carcass of any stray stock upon any Crown or private lands or upon public road shall take immediate steps to have such carcass buried or burned.

(3) Any expense incurred by the Police or the owner of land in disposing of a carcass as required by this rule may be recovered from the owner thereof as for work done on his behalf and at his request.

18. No person other than such persons as are authorized by these rules, or by an Officer in charge of a district shall remove or attempt to remove the carcass or any part thereof of any animal which has been buried or ordered to be buried or burned in pursuance of the provisions of the ordinance or any rule, proclamation, order or directions thereunder.

19. (1) No stock other than horses, mules, donkeys and poultry shall be moved from one district of the Protectorate to another unless a permit allowing such removal has been granted by the nearest Inspecting Officer.

(2) Such permits shall be in the form authorized by the Chief Veterinary Officer and shall only be available for the period which may be reasonably taken up in journeying from the station where the permit is granted to the place of consignment, and such period shall be specified on each permit.

(3) The person in charge of stock removed or being removed from one district to another shall produce the permit for the removal of such stock to an Administrative Officer, Veterinary Officer, or Inspector when demanded.

(4) If the owner or the person in charge of stock being removed from one district to another disposes of all or any of such stock he shall produce to the Inspector for the district particulars as to the place, date and manner of the disposal of such stock.

20. The Commissioner or a Veterinary Officer may at any time cancel a permit for the removal of stock from one District to another.

21. Any stock proceeding from one Province to another may be required to be dipped or sprayed, inoculated, or tested and to undergo a period of quarantine at one of the provincial quarantine stations.

22. When stray stock are found to be suffering from disease.
- They shall be confined and isolated as near as possible to the place where they have been found, by the owner or person in occupation of the land.
 - If the services of a Veterinary Surgeon are not immediately available, the disease shall be locked upon as contagious, and the sick animal shall be slaughtered by the Police on receiving authority from the Collector, Assistant Collector or the Officer in charge of the nearest Police Post.
 - All stock which have been in contact with such stray stock shall be quarantined, and the owner of the stray stock shall be liable for all expenses incurred by the owner of the stock quarantined, and by the Government in respect of the quarantining of such stock.
23. The Commissioner may for the purpose of preventing the spread of any disease prohibit in any district or portion thereof the holding of exhibitions of stock, or the sale of stock on public markets or in private sale yards.
24. (1) All Railway trucks, with the exception of fitted horse boxes, which have been used for the transport of stock shall be disinfected by being swept and washed thoroughly with lime wash before being again used for the conveyance of stock. Fitted horse boxes shall be swept and effectually disinfected. All loading and unloading pens, kraals, and everything connected therewith shall be cleansed and effectually disinfected before being again occupied by or used for stock.
- (2) All public markets and private sale and auction yards and all structures or enclosures connected therewith in which stock shall have been confined shall be cleansed and disinfected to the satisfaction of Inspecting Officer at the close of each day during which they have been used.
25. The Commissioner may order any stock within the East Africa Protectorate to be dipped, washed or otherwise disinfected should he consider it necessary for the prevention of contagious disease.
26. Testing with mallein and tuberculin, inoculation for pleuro pneumonia, ovination (vaccination against sheeppox) and other such technical operation shall only be carried out under the immediate directions of a Veterinary Officer of the Protectorate.
27. No person who has been in contact with any animal affected with a contagious disease shall approach other animals until their clothing, hands or boots, and in case where no boots are worn, their feet have been thoroughly disinfected.
28. The charges which may be levied for animals placed in quarantine in accordance with these rules shall be as follows :—

(1) Charges for the testing of animals			
Mallein per head	...	...	Rs. 5/-
Tuberculin per head	...	...	„ 5/-
(2) Quarantine fees.			
Horses, mules, donkeys without food	Rs.	As	
not exceeding	...	...	1 0 per diem
Horses, mules donkeys with food	...	...	1 8 „
Cattle without food	...	...	0 12 „
Cattle with food	...	...	1 0 „
Sheep and goats	...	...	0 4 „
Pigs	...	...	0 6 „
Dogs	...	...	0 6 „
Poultry	...	...	0 2 „
(3) Dipping charges			
Sheep dipping per head	...	...	0 3 „
with a minimum charge of	...	...	3 0 „
Dipping or spraying of cattle per head	...	...	1 0 „
with a minimum charge of	...	...	5 0 „

RULES.

Made by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the "East Africa Forestry Regulations 1902" Section 5.

(1.) Except as is hereinafter provided, no person shall cut, lop, remove or damage any mangrove growing on or near the foreshore of the mainland or any island being part of the Crown Lands of the East Africa Protectorate.

(2.) The Conservator of Forests may grant licenses to cut and remove Mangroves, but such licenses shall not be transferable and shall be subject to such conditions (if any) as may be imposed by the Conservator of Forests and to the payment by the licensee of a fee on the following scale :—

Cutting permit for one person for one month... Rs. 1

” ” ” ” ” ” six months... Rs. 5

” ” ” ” ” ” twelve ” ... Rs. 9

(3.) Any offence against these rules shall be punished in accordance with the provisions of the East Africa Forestry Regulations 1902.

Provided that the Conservator of Forests may accept, on behalf of the Crown, from any person a sum of money as compensation for any offence committed by him; such compensation may extend to five times the value of the estimated damage done, or, where the value cannot be estimated, to 100 rupees for each offence. On the payment of such compensation, any property confiscated in connection with the offence may be released.

(4.) Nothing in these Rules shall be deemed to prevent.

1. The commission of any act prohibited thereunder, if such act be authorized in writing by a competent authority.
2. The exercise of any right or privilege by the persons entitled to exercise such rights or privileges.

(5.) These Rules shall come into force on the first day of January 1906 but shall only be put in force in so far as the creeks around Mombasa are concerned.

Mombasa,

Dated this 23rd day of December, 1905.

J. HAYES SADLER

His Majesty's Commissioner.

NOTICE.

SALE OF LAND WITHIN THE RAILWAY ZONE.

From the date of this Notice the purchase price of land within the Uganda Railway Zone between Mazeras and Makindu will be Rs. 4/- per acre.

The Notice published in the "Official Gazette" 1st August 1903, *re* the sale of land within the Railway Zone is altered to the above extent.

Mombasa,

Dated this 27th day of December, 1905.

J. HAYES SADLER

His Majesty's Commissioner.

NOTICE.

KENYA PROVINCE.

The fees for "Contracts of Service Native labour" on and after 1st January 1906 will be as follows:—

For periods exceeding 2 months and not exceeding 3 months	8 annas
” ” 3 ” ” ” 6 ”	12 ”
” ” 6 ” ” ” ”	1 Rupee

No contract for a period less than two months should be registered.

These fees are quite distinct from those levied for the registration of porters.

S. L. HINDE

Fort Hall, 16th December, 1905.

H. M. Sub-Commissioner.

RULES.

Rules made by the High Court with the approval of His Majesty's Commissioner under Article 22 of the East Africa Order-in-Council 1902.

The following shall be the form of a Letter of Request to a foreign tribunal to examine witnesses abroad.

Mombasa, 4th January, 1906.

Approved,

J. HAYES SADLER

His Majesty's Commissioner.

Mombasa, 4th January, 1906.

R. W. HAMILTON

Principal Judge of the High Court.

RULES OF COURT No. 1 OF 1906.

Whereas an action is now pending in the High Court of the East Africa at Mombasa, in which _____ is plaintiff and _____ is defendant. And in the said action the plaintiff claims (insert endorsement on writ.)

And whereas it has been represented to the said Court that it is necessary for the purposes of justice and for the due determination of the matters in dispute between the parties, that the following persons should be examined as witnesses upon oath touching such matters, that is to say: E. F. of _____, G. H. of _____, and I. J. of _____

And it appearing that such witnesses are resident within the jurisdiction of your honourable Court.

Now I _____ as the Judge of the High Court of East Africa have the honour to request and do hereby request, that for the reasons aforesaid and for the assistance of the High Court of Justice, you as the President and Judges of the said _____ or some one or more of you, will be pleased to summon the said witnesses (and such other witnesses as the agents of the said plaintiff and defendant shall humbly request you in writing so to summon) to attend at such time and place as you shall appoint before some one or more of you, or such other person as according to the procedure of your Court is competent to take the examination of witnesses, and that you will cause such witnesses to be examined upon the interrogatories which accompany this letter of request (or viva voce) touching the said matters in question in the presence of the agents of the plaintiff and defendant, or such of them as shall, on due notice given, attend such examination.

And I further have the honour to request that you will be pleased to cause the answers of the said witnesses to be reduced into writing, and all books, letters, papers, and documents produced upon such examination to be duly marked for identification, and that you will be further pleased to authenticate such examination by the seal of your tribunal, or in such other way as is in accordance with your procedure, and to return the same, together with such request in writing if any, for the examination of other witnesses, through His Majesty's Secretary of State for Foreign Affairs, for transmission to the said High Court of the East Africa Protectorate.

NOTICE.

Under Section 41, Part II of "The Native Porters & Labour Regulations of 1902."

The FEES for the registration of Contracts of Service in the Province of Kisumu, will be as follows:—

	Rs.	as.	p.
For periods exceeding 2 months and not exceeding 3 months...	0	8	0
do do 3 „ do 6 „ ...	0	12	0
do do 6 „ „ ...	1	0	0

No contract for less than 2 months will be registered.

Mombasa,
January 3rd, 1906.

Approved,

J. HAYES SADLER

His Majesty's Commissioner.

S. S. BAGGE
Sub-Commissioner.

NOTICE.

Fees for the Registration of Contracts of Service within the Province of Tanaland.

In exercise of the powers conferred upon me by the Native Porters and Labour Regulations 1902, Section 37, I hereby fix the following fees to be payable on the registration of contracts for service for artificers, workmen or manual labourers, within the Province of Tanaland.

	Rs.	as.	p.
For periods exceeding 2 months and not exceeding 3 months.....	0	8	0
exceeding 3 months and not exceeding 6 months ...	...	0	12 0
exceeding 6 months ... ..	...	1	0 0

No contract for a period less than two months shall be registered.

Mombasa,
January 3rd, 1906.

Approved,

J. HAYES SADLER

His Majesty's Commissioner.

K. MACDOUGALL
H. M. Sub-Commissioner.

PROCLAMATION.

(Under the East Africa Game Regulations 1900.)

Whereas power is conferred upon me by Section 5 of the East Africa Game Regulations 1900 to declare that the name of any species or variety of animal mentioned or included in one Schedule shall be transferred from one Schedule to another, and to apply such declaration to any district or districts in which I think it is expedient that the animal should be protected, and whereas it is in my opinion expedient that the hunting, killing, or capturing of Rhinoceros should be prohibited in the vicinity of the Uganda Railway between Sultan Hamud and Machakos Stations I hereby proclaim that there shall be added to the first Schedule of the said Regulations the words following:—

“Rhinoceros on the north side of the Uganda Railway and within ten miles thereof between Sultan Hamud Station and Machakos Road Station”.

And it is hereby notified that any persons hunting, killing or capturing a Rhinoceros within the area above mentioned will, except such persons be authorized by a special license on that behalf, be subject to the penalties imposed by the said Regulations on persons hunting, killing, or capturing any of the animals mentioned in the first Schedule of the said Regulations.

Nairobi, January 12th, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

Under Section 37, Part II of “The Native Porters & Labour Regulations of 1902.”

The FEES for the registration of Contracts of Service in the Province of Naivasha, will be as follows:—

	Rs.	as.	p.
For periods exceeding 2 months and not exceeding 3 months...	0	8	0
do do 3 „ do 6 „ ...	0	12	0
do do 6 „ ...	1	0	0

No contract for a period less than two months should be registered.

Naivasha, January 1st 1906.

C. W. HOBLEY
Asst. Deputy Commissioner.

NOTICE.

Under Section 37, Part II of “The Native Porters & Labour Regulations of 1902.”

The FEES for the registration of contracts of service in the Province of Jubaland from 1st of January will be as follows:—

For periods exceeding 2 months and not exceeding 3 months	8 annas
„ „ 3 „ „ „ 6 „	12 „
„ „ 6 „ „	1 Rupee

No contract for a period less than two months should be registered.

Kismayu,
8th January, 1906.

R. E. SALKELD
Acting Sub-Commissioner.

NOTICE.

Is hereby given that all houses hitherto paying Conservancy rates as Rs. 2 per annum shall pay during 1906-1907 Rs. 3 per annum for each house as provided under the proclamation of 10th May 1905 and published in the “Official Gazette” of 1st June 1905.

The rest of the Conservancy assessment for the year 1906-1907 will be as heretofore.

All objections to the present assessment must be lodged in the Collector's Office not later than 15th February 1906.

Any objection lodged after that date will not be entertained.

Mombasa,
16th January, 1906,

R. GRANVILLE
Collector.

NOTICE.

Is hereby given that the notice connected with Fees for the Registration of Contracts of Service within the Province of Ukamba, published on page 53 of the “Official Gazette” of 15th February and dated 3rd, instant is hereby withdrawn and the undernoted notice substituted for same.

Nairobi,
February 23rd, 1906.

JOHN AINSWORTH
H. M's Sub-Commissioner.

NOTICE.

Fees for the Registration of Contracts of Service within the Province of Ukamba.

In exercise of the powers conferred upon me by the Native Porters and Labour Regulations 1902, Part II sections 37 and 41, I hereby give notice that the following fees shall be payable in respect of the registration of all contracts of service (as provided for in the above quoted regulations) in the Province of Ukamba, provided that no contracts for a period of 2 months or less will be registered.

	Rs.	As.	P.
For periods exceeding 2 months and not exceeding 3 months.....	0	8	0
For period exceeding 3 months and not exceeding 6 months.....	0	12	0
Exceeding 6 months	1	0	0

Nairobi:
February 23rd 1906.

JOHN AINSWORTH
H. M's. Sub-Commissioner.

At the Court at *Buckingham Palace*, The 8th day of *January*, 1906.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS under the "Eastern African Protectorates (Court of Appeal) Order in Council, 1902," a Court has been constituted, called His Britannic Majesty's Court of Appeal for Eastern Africa (therein and hereinafter referred to as the Court of appeal) for exercising appellate jurisdiction and other powers in relation to the High Courts and other Courts in the East Africa, Uganda and British Central Africa Protectorate.

And whereas it is expedient that there shall be a separate seal for the said Court Appeal: NOW, THEREFORE, His Majesty by virtue and in exercise of the powers in this 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. This Order may be cited as the "Eastern African Protectorates (Court of Appeal) Order in Council, 1906."

2. The Court of Appeal shall have a seal bearing the style of the Court and a device approved by the Secretary of State; and until such a seal is provided the seal of His Britannic Majesty's Court for Zanzibar may continue to be used instead thereof.

And the Right Honourable the Earl of Elgin, K.G. one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

A. W. FITZROY

RULES.

Rules issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of "The East Africa Township Ordinance 1903," and "The Fees and Royalties Ordinance 1903."

Nairobi,
Dated 5th March, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

1. The following fees shall be levied in the Township of Naivasha

	Rs.	As.	P.	
Registration of Meat Sellers	2	0	0	per mensem
Do of vegetable sellers	1	0	0	"
Do of Bakeries	1	0	0	"
Do of Aerated Water Manufactures	3	0	0	"
Do of Billiard Saloons	5	0	0	"
Do of Dhobies per individual	1	0	0	"
Do of Dogs	3	0	0	per annum
Do of Vehicles used for luggage 2 wheels... ..	10	0	0	"
Do of 4 wheels	20	0	0	"
Do of Vehicles used for passenger traffic 2 wheels	7	8	0	"

					Rs.	AS.	P.		
Registration of Vehicles used for passenger									
	traffic 4 wheels	...	...	...	15	0	0	„	
Do	of Drivers	...	...	...	10	0	0	„	
Do	Common lodging houses	...	...	...	10	0	0	p. m. per 20	
								lodgers or	
								less	
Do	of large tents per week or part								
	thereof	...	...	...	0	8	0		
Do	of small do.	...	...	...	0	4	0		

Market fees one anna per stand per diem or half anna on every rupees's worth of produce.
Slaughter house fees:—

					Rs.	AS.	P.
	For cattle per head	...	...	...	1	0	0
	For sheep and goats per head	...	...	...	0	4	0

2. The Collector may grant permission for the grazing of animals on unoccupied Crown land within the Township area outside the Government Station limits subject to the payment by the owner of such animals, of the following fees, Namely:—

Cattle per head	...	Re 1 per month or annas 6 per week.
Horses, Mules and Donkeys per head	Re. 1 per month	
Sheep and goats per head	Re. 0 2 0 or anna 1 per week	
Pigs per head	...	0 8 0 „ annas 4 „ „

3. Any animal in respect of which permission to graze has not been given to the owner thereof, found grazing on unoccupied Crown land may be impounded and if not claimed within seven days may be destroyed, sold or otherwise dealt with as the Collector may direct and without compensation to the owner thereof.

4. Every animal permitted to graze on unoccupied Crown land shall be herded or tethered and any animal found on such land neither herded nor tethered may be impounded and dealt with as provided in rule 3.

5. The following fees shall be paid by the owner of any animal impounded under the provisions of rules 3 or 4.

Horses, Mules & Donkeys per head	Re. 1 0 0 per diem
Cattle „ „ „ „ „	1 0 0 „
Sheep, Goats and Pigs „ „ „	0 8 0 „

NOTICE

Is hereby given that a rate for Municipal purposes on all lands and buildings within the Township of Naivasha will be levied under the provisions of the East Africa Township Ordinance 1903 and the rules thereunder for the current year at the rate of $7\frac{1}{2}$ per cent of the assessed annual value of such lands and buildings.

March 5th, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

PROCLAMATION.

Under the East Africa Wild Birds Protection Ordinance 1903.

In pursuance of the powers conferred upon me by Section 2 of the East Africa Wild Birds Protection Ordinance 1903, I hereby withdraw the Proclamation made under the said Ordinance and dated June 11th 1903 and I hereby declare that the provisions of the said Ordinance shall apply to an area comprising Lake Naivasha and the shores thereof to a distance of one mile from the said Lake in respect of all wild fowl and lake birds between the 1st day of May and the 15th day of October in every year.

Mombasa,
Dated this 11th day of March, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

PROCLAMATION.

In exercise of the powers conferred upon me by the East Africa Township's Ordinance 1903 I hereby declare the following place within the limits hereinafter set forth to be a township for the purposes of the aforesaid Ordinance:—

Kericho—The area comprised within a circle having a radius of one mile with the Collector's Office as centre.

And I hereby apply Rules 1, 6, 82, 83, 178, 179, 180 and 181 of the Township Rules 1904 to the said Township.

Dated this 10th day of March, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

PROCLAMATION.

In exercise of the powers conferred upon me by the East Africa Hut Tax Ordinance 1903 Section 2. I hereby declare that the Hut Tax leviable in the Province of Ukamba by virtue of the Proclamation published under the aforesaid Ordinance and dated the 31st day of August 1903 shall be increased to Rs. 3 per annum for each hut from and after the 1st day of April 1906.

Given under my hand this 13th day of March 1906.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

Under The Criminal Procedure Ordinance 1906.

In pursuance of the powers conferred upon me by Section 3 of the Criminal Procedure Ordinance 1906, I hereby order that every case in which an European or American shall be charged before the Court of Sessions with an offence punishable with death, transportation or imprisonment exceeding 7 years shall be tried by a Jury of nine persons.

Nairobi,
Dated this 27th day of March 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULES

Made by His Majesty's Commissioner for the East Africa Protectorate under Section
7 of the Indian Telegraph Act (Act No. 13 of 1885)
Press Telegrams.

1. On and from the 1st of April 1906 the charge for transmission of inland press telegrams between any two stations in East Africa, or from any station in East Africa to any station in Uganda, shall be One Rupee for the first 32 words and 8 annas for every subsequent 16 words or number of words less than 16. The name and address of the addressee and of the sender (when signalled) shall be counted in computing the charge.

2. A press telegram to be accepted at Press rates must fulfil the following conditions:—

- (a) It must be addressed to a newspaper the name of which has been registered by the Postmaster General.
- (b) It must be addressed to the newspaper in accordance with its registered title, and to the town at which the newspaper is registered as being printed and published.
- (c) It must contain only intelligence which is clearly intended for publication in the strict sense of the term.
- (d) It must be written in plain English so as to be intelligible to the telegraph officers, and must contain nothing of concealed meaning either in Code language or Cipher.
- (e) When demanded, a copy of every newspaper in which a Press telegram is published must be furnished to the Telegraph Office from which that Press telegram was delivered.
- (f) A single Press telegram must not exceed 160 words. Long news messages must be broken up into separate telegrams, all of which must be numbered and each of which, except the last, must contain the words **MORE TO FOLLOW**. These words and the numbers shall be written by the Sender in the space provided in the telegram form for Official Instructions. They will not be charged for.

3 Press telegrams not exceeding 64 words in length will be signalled in turn with ordinary messages. If of greater length (whether in the form of one long message or several shorter ones) they will be transmitted as "deferred telegrams."

Registration of Abbreviated Telegraph Addresses.

1. On and from the 1st of April 1906 the charge, for registering an abbreviated telegraph address shall be at the rate of Rs. 15 per annum and payment shall be made up to the 31st of December following the date of registration, any part of a quarter being paid for as a full quarter.

2. Application for the registration of abbreviated telegraph addresses should be made to the Officer in charge of the Post or Telegraph Office at which it is proposed to register the address.

3. No address may consist of more than one word in addition to the name of the town or place where registration is effected. The word must not contain more than ten letters and must be easy to read and easy to telegraph. Proper names can only in rare cases be accepted, and in no case can a proper name be registered for a person of a different name. The names of professions, trades, districts, countries, states, towns, telegraph stations, well-known streets, and registered newspapers may not be used as registered addresses.

4. No address may be registered in one town for the delivery of telegrams in another town.

5. The acceptance of registration of the word tendered as an abbreviated telegraph address shall be subjected to the veto of the Postmaster General or the Railway Traffic Manager as the case may be, and no word will be accepted which owing to risk of confusion with words already registered or other reasons is considered undesirable by either of these Officials.

6. In the event of a change in the title of a firm for which an address is recorded the consent, in writing, of all the partners of the firm must be produced before the records can be altered.

7. The Post and Telegraph or Railway Traffic Department, as the case may be, shall not be required to deliver any telegram having an abbreviated address if such address has not been registered.

8. Nothing in these rules shall be deemed to prevent the Postmaster General or Railway Traffic Manager, as the case may be, declining to re-register any word as an abbreviated address if it shall appear to him that the use of such word involves risk of confusion with other registered addresses, or proper names.

Nairobi,
March 27, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULE.

Issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the Diseases of Animals Ordinance 1906.

Mombasa,
Dated this 1st day of April 1906.

J. HAYES SADLER
His Majesty's Commissioner.

1. The Chief Veterinary Officer, a Veterinary Officer, or Inspector in charge of an infected area may cause any animal or animals within an infected area to be branded with such mark as he shall think fit.

2. The owner or person in charge of any animal within an infected area permitting such animal to be removed from or to escape out of an infected area without the written permission of the Chief Veterinary Officer or the Veterinary Officer or officers in charge of the area shall be guilty of an offence.

These rules shall be in addition to and not in substitution for the provisions prescribed by Section 5 of the Diseases of Animals Ordinance 1906.

Mombasa,
Dated this 1st day of April 1906.

J. HAYES SADLER
His Majesty's Commissioner.

PROCLAMATION

Under the East Africa and Uganda (Currency) Order in Council 1905.

Whereas by Article 22 of the East Africa and Uganda (Currency) Order in Council 1905 His Majesty's Commissioner may by Proclamation fix the date on which the said Order in Council shall come into effect, and Whereas by the said Article 22 it is further provided that different parts of the said order may be brought into operation at different dates by different

Proclamations. Now therefore in exercise of the powers conferred upon me by the precited Article 22. I James Hayes Sadler do hereby direct that the East Africa and Uganda (Currency) Order in Council 1905 excepting such parts thereof as relate to coin other than sovereigns that is to say excepting Articles 4-12 thereof, shall come into effect in the East Africa Protectorate on the first day of April One thousand nine hundred and six.

Mombasa,
Dated this 1st day of April 1906.

J. HAYES SADLER
His Majesty's Commissioner.

PROCLAMATION.

Diseases of Animals Ordinance 1906.

Whereas cases of African Coast Fever have occurred in and about the Township of Nairobi, now therefore in exercise of the powers conferred upon me by the Diseases of Animals Ordinance 1906 I hereby declare the Township area to be an infected area and in addition to the township area I hereby declare an additional area up to a three mile radius from Government Offices to be an infected area, such additional area shall be and is bounded as follows:—

On the North

From a point to the East of Government Farm where the Kittasuri stream joins the Masari stream and extending West along the Kittasuri stream to the point where the Nairobi Fort Hall road crosses the stream thence along the road to the point on the top of the hill where the forest reserve area is defined, thence along the forest boundary for one mile.

West

From the latter point in a direct line across Lord Delamere's land to the point on the Fort-Smith road where the said road crosses the Railway line thence across the Nairobi Stream West of Mr. Grogan's present residence, thence in a direct line to the creek behind Mr. Grogan's land.

South

Along the last mentioned creek until the creek turns in a N. E. direction, at which point the line to run direct to the 1st bridge on the Nairobi Ngongo road (near Mr. Fletcher's house,) thence behind the Military lines on to the plains direct to the so-called Ngongo water course.

East

Along the Ngongo water course to the Railway bridge over the same stream, thence in a direct line East of the Township Sanitary lines, thence in a direct line to the Nairobi Stream opposite the plague quarantine camp, thence along the Eastern boundary of Egerton Estate until such boundary reaches the Masari Stream opposite Government farm, thence along the Masary stream round Government farm to the point where the latter stream joins the Kittasuri.

The lines indicated will be marked out by sign posts by the Veterinary Department.

No cattle will be allowed to enter or leave the infected area without permission of the Chief Veterinary Officer in writing.

All cattle inside the area will be branded, and any such branded cattle found outside the area will be slaughtered wherever found without compensation.

Cattle entering the infected area with the permission of the Chief Veterinary Officer will be branded.

Arrangement will be made as soon as possible to facilitate transport arrangements and these will be notified as soon as possible.

Nairobi,
28th March, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

A special license may be granted to the holder of a Sportsman's or Public Officer's Game Licence by a Sub-Commissioner of a Province authorising such person to hunt, kill, or capture any of the following animals:—

- 1 Bull Buffalo.
- 1 Bull Eland.
- 1 Bull Giraffe.

Provided that no licence to kill a buffalo in the Province of Ukamba shall be granted.

The fee payable for such special license is rupees seventy-five (Rs. 75) in respect of each animal. All fees are payable in advance and are not returnable in the event of no animal being killed or captured under a special License.

Mombasa,
Dated this 14th day of April, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

The East Africa Game Ordinance 1906.

In pursuance of the powers conferred upon me by Section 13 of the East Africa Game Ordinance 1906 I hereby give notice that upon the application of the holder of a Sportsman's or Public Officer's Game license permission may be given to shoot or capture additional animals as follows, and additional fees as herein prescribed shall be paid in respect thereof.

2 Rhinoceros	additional fee Rs. 75 each
1 Elephant	„ „ „ 250 „
2 Zebra	„ „ „ 30 „
2 Wildebeeste and 2 Waterbuck	„ „ „ 30 „
Antelope under class A in the third Schedule 1 of each	„ „ 45 „
Under class B except Wildebeeste and Waterbuck 10 additional	„ „ 20 „

Mombasa,
Dated this 14th day of April, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULE.

Rule issued by His Majesty's Commissioner for the East Africa Protectorate under the provision of the East Africa Game Ordinance 1906.

Mombasa,
Dated this 14th day of April, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

FORM OF LICENSE.

1. Licenses issued under the East Africa Game Ordinance 1906 shall be in the following form:—

No. 1. SPORTSMAN'S LICENSE (FEE 750 RUPEES) OR PUBLIC OFFICER'S LICENCE (FEE 150 RUPEES)

A.B., of _____, is hereby licensed to hunt, kill, or capture wild animals within the East Africa Protectorate for one year from the date hereof, but subject to the provisions and restrictions of "The East Africa Game Ordinance 1906."

The said A.B. is authorised, subject to the said Regulations, to kill or capture the following animals in addition to the number of same species allowed by the Regulations that is to say:—

Fee paid (Rupees).

Dated this _____ day of _____ 1906.

Signed.

Commissioner (or Collector).

No. 2. SETTLER'S GAME LICENSE (FEE 150 RUPEES).

C.B., of _____, is hereby licensed to hunt, kill, or capture wild animals within the _____ district of the East Africa Protectorate for one year from the date hereof, but subject to the provisions and restrictions of "The East Africa Game Ordinance 1906."

Dated this _____ day of _____ 1906.

Signed.

Commissioner (or Collector).

No. 3. LANDHOLDERS GAME LICENSE (FEE 45 RUPEES).

E.F., of _____, is hereby licensed to hunt, kill, or capture wild animals on land in the occupation of* _____ in the East Africa Protectorate for one year from the date hereof, but subject to the provisions and restrictions of "The East Africa Game Ordinance 1906."

Dated this _____ day of _____ 1906.

Signed.

Commissioner (or Collector.)

*Insert name of licensee or his employer as the case may be.

NOTICE.

Fees to be paid on the attestation of Contracts of Service.

In exercise of the powers conferred upon me by Section 6 of the Master and Servants Ordinance 1906 I hereby give notice that the following fees shall be paid on the attestation of all contracts of service, foreign or otherwise, under the said Ordinance.

When the period of service does not exceed 3 months ...	Rs. 0 8 0
When the period of service exceeds 3 months but does not exceed 6 months. ...	... „ 0 12 0
When the contract of service exceeds 6 months ...	... „ 1 0 0

Mombasa,
Dated this 2nd day of April, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

The following shall be the scale of commission chargeable by Official brokers licensed in accordance with the terms of the Brokers Regulations 1901.

For Houses and Real Property

When the value of the property sold does not exceed Rs. 100 at the rate of 5%
When the value of the property sold exceeds Rs. 100 then at the following rate:—

	On the first Rs. 100	at the rate of 5%
On every Rs. 100 or part of Rs. 100 over Rs. 100 and under Rs. 2,000	„ „	„ 2½%
„ „ „ „ „ „ „ Rs. 2,000 „ „ Rs. 6,000	„ „	„ 2%
„ „ „ „ „ „ „ Rs. 6,000 „ „ Rs. 10,000	„ „	„ 1½%
„ „ „ „ „ „ „ Rs. 10,000	„ „	„ 1%
	For Ivory	1%
	For Ambergris	1%

For all other Property.

When the value of the property sold does not exceed Rs. 2,000 at the rate of 5%
When the value of the property sold exceeds Rs. 2,000 then at the following rate:—
One every Rs. 100 or part of Rs. 100 up to Rs. 2,000 at the rate of 5%
„ „ „ „ „ over Rs. 2,000 and under Rs. 4,000 „ „ 4%
„ „ „ „ „ „ Rs. 4,000 „ „ 3%

Mombasa,
April 14th, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

Karungu Sailing Boat Tariff.

Cabin passage single	Rs. 5 (including a free allowance of 1 cwt., personal luggage).
Deck „ „	Rs. 2
„ „	
(For wives and children of Govt. servants	„ 1

Freight.

Each load of 60 lbs. (or fraction thereof exceeding 30 lbs)	Rs. 1-0-0
Fraction thereof (not exceeding 30 lbs)	As. 0-8-0

Not more than 10 cwt. will be taken on any one voyage and bulky goods, such as skins, will not be carried.

Goods and passengers luggage will be carried at the owner's risk, and the Government will not be responsible for any damage which may be occasioned by any delay in the delivery of such goods or luggage, or by the loss or damage to goods or luggage, arising from any cause whatsoever.

Approved
J. HAYES SADLER
His Majesty's Commissioner.

S. S. BAGGE
Sub-Commissioner.
Kisumu Province.

February 22nd, 1906.

RULES.

Rules issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the East Africa Townships Ordinance 1903.

Mombasa,

Dated this 24th day of April, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

1. The Township Rules 1904 shall for the purposes of the Township of Nairobi be read with the additions and alterations and amendments following:—

- (a). In rule (13) at line 1 for the words "the Collector or such other officer or officers as may be appointed for the purposes" there shall be substituted the words "the Collector or such other person or persons as may be appointed for the purpose by the Sub-Commissioner."
- (b). In rule (13) at line 11 after the words "any Government officer" there shall be added the words "or other persons."
- (c). In rule (16) for the words "or other officers duly appointed" there shall be substituted the words "or other person or persons duly appointed."
- (d). In rule (20) (ii) for the words "or other officer duly appointed" there shall be substituted the words "or other person or persons duly appointed."

J. HAYES SADLER

His Majesty's Commissioner.

PROCLAMATION.

Under the East Africa Outlying District Ordinance 1902

In pursuance of the powers conferred upon me by the East Africa Outlying Districts Ordinance 1902 I hereby declare all those parts of the districts of Nyeri and Fort Hall in the province of Kenya within the boundaries hereinafter defined to be a closed District for the purposes of the aforesaid Ordinance.

Such closed district to be in addition to and not in substitution for any district in the Province of Kenya declared to be a closed district under any proclamation now in force:—

An area bounded on the West by the River Chania (West) from its intersection with the Forest Reserve Boundary on the Aberdare Range to its intersection with the Government cart Road from Nairobi to Fort Hall. On the South East by the Government cart Road from the Chania River to Fort Hall and by the Southern Road from Fort Hall to the Kareti Falls on the River Tana.

On the North East by the River Tana from the Kareti Falls to the junction of the River Chania (East) with the Tana River. On the North by the River Chania (East) from its junction with the Tana to its intersection with the Forest Reserve boundary on the Aberdare Range, the boundary of the Forest Reserve to its intersection with the Chania River (West.)

Nairobi,

Dated this 1st day of May, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

NOTICE.

Rules issued by His Majesty's Commissioner under the Native Passes Regulations 1900.

Mombasa,

Dated this 24th day of April 1906.

J. HAYES SADLER

His Majesty's Commissioner.

Rules to Control the Movement of Masai.

1. No Masai shall proceed out of the reserve in which he is located unless he shall first have obtained a pass under these Rules from a Collector or Assistant Collector.
2. A pass under these Rules shall be granted free of charge and shall be in the forms in the Schedule hereto and shall have effect only for the time specified in the pass.
3. A Collector or Assistant Collector may refuse to grant a pass to any Masai without assigning any reason for such refusal.
4. Any Masai being outside the Masai Reserves and the Masai settlement at Naivasha shall on demand being made by any Government Officer or Police Officer produce his pass.

5. Any Masai failing to produce his pass when called upon to do so or being found outside the Masai Reserves and Masai settlement without a pass may be arrested by a Police Officer or other authorised person without a warrant and shall be liable on conviction to imprisonment of either description for a period not exceeding 3 months and in the case of a second or subsequent offence to imprisonment with hard labour for a period not exceeding 6 months.

SCHEDULE.

<p style="text-align: center;">EAST AFRICA PROTECTORATE.</p> <p>No.....</p> <p style="text-align: center;"><i>Masai Reserve Pass.</i></p> <p style="text-align: center;">NAIVASHA PROVINCE.</p> <p>Station.....</p> <p>Traveller's name and residence.....</p> <p>Destination.....</p> <p>Date of issue.....</p> <p>Date of expiry.....</p> <p style="text-align: right;">Collector.</p>	<p style="text-align: center;">EAST AFRICA PROTECTORATE.</p> <p>No.....</p> <p style="text-align: center;"><i>Masai Reserve Pass.</i></p> <p style="text-align: center;">NAIVASHA PROVINCE.</p> <p>Station.....</p> <p>Traveller's name and residence.....</p> <p>Destination.....</p> <p>Date of issue.....</p> <p>Date of expiry.....</p> <p style="text-align: right;">Collector.</p>
<p style="text-align: center;">EAST AFRICA PROTECTORATE.</p> <p>No.....</p> <p style="text-align: center;"><i>Masai Reserve Pass.</i></p> <p style="text-align: center;">UKAMBA PROVINCE.</p> <p>Station.....</p> <p>Traveller's name and residence.....</p> <p>Destination.....</p> <p>Date of issue.....</p> <p>Date of expiry.....</p> <p style="text-align: right;">Collector.</p>	<p style="text-align: center;">EAST AFRICA PROTECTORATE.</p> <p>No.....</p> <p style="text-align: center;"><i>Masai Reserve Pass.</i></p> <p style="text-align: center;">UKAMBA PROVINCE.</p> <p>Station.....</p> <p>Traveller's name and residence.....</p> <p>Destination.....</p> <p>Date of issue.....</p> <p>Date of expiry.....</p> <p style="text-align: right;">Collector.</p>

H. M. HIGH COURT OF EAST AFRICA.

Rules made by the High Court with the approval of His Majesty's Commissioner under Article 22 of East Africa Order in Council 1902.

No. 2 of 1906.

1. The Fees specified in the Schedule hereto annexed shall take the place of those numbered respectively 68, 69, 70, and 71, in the list of Court Fees published under Rules of Court No. 1 of 1902.

2. These Rules may be cited as "Amendment Rules 1906 of the East Africa Court Fee Rule 1902."

Nairobi,
April 20th 1906.

R. W. HAMILTON
Principal Judge of the High Court.

Approved
J. HAYES SADLER
His Majesty's Commissioner.

SCHEDULE.

In Civil Matters	{	68. On filing Memorandum of Appeal against decree.....Rs. 10	
		69. On filing Memorandum of appeal against interlocutory order ,, 5	
		70. On every security for Costs..... ,, 5	
		70a. On record of appeal (including expenses of transmission)..... { such sum as the Court may direct.	
In Criminal Matters.		71. On the Appeal.....Rs. 10 or or such lesser sum as the Court may direct	

NOTICE.

Under The Fees and Royalties Ordinance 1903.

In pursuance of the powers conferred upon me by the Fees and Royalties Ordinance 1903 I hereby authorise the levying in the Province of Jubaland of the fee following:—
Slaughter house fee Rs. 2 per mensem.

Nairobi,

Dated this 24th day of April, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

RULES.

Rules issued by His Majesty's Commissioner for the East Africa Protectorate under Section 7 Sub-Section (6) of the East Africa Game Ordinance 1906.

Nairobi,

Dated this 2nd day of May 1906.

J. HAYES SADLER

His Majesty's Commissioner.

1. No elephant tusk weighing less than 30lbs., and no piece of ivory which in the opinion of an Officer engaged in the Civil Administration of the East Africa Protectorate formed part of a tusk under 30lbs., in weight shall be introduced into the East Africa Protectorate from the Uganda Protectorate unless it shall have been stamped with an official stamp and a registered number by a Customs Officer or Officer engaged in the Civil Administration of the Uganda Protectorate.

2. The fact that an elephant tusk or piece of ivory bears an Official stamp and registered number as required by the preceding rule shall be *prima facie* evidence that the tusk or piece of ivory was lawfully collected and possessed in the Uganda Protectorate and such tusk or piece of ivory may be imported from the East Africa Protectorate.

J. HAYES SADLER

His Majesty's Commissioner.

RULES.

Rules issued by His Majesty's Commissioner under the provisions of the Diseases of Animals Ordinance. 1906.

Nairobi,

Dated this 2nd day of May, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

RULE.

The Chief Veterinary Officer or any person or persons authorised by him may for the purpose of restricting the movement of animals from or into any infected area or any part thereof or for the purpose of quarantine, enter upon any lands whether privately owned or not and may erect and maintain thereon fences and may remove any fence so erected.

J. HAYES SADLER

His Majesty's Commissioner.

PROCLAMATION.

In exercise of the powers conferred upon me by the East Africa Townships Ordinance 1903 I hereby declare the following place within the limits hereinafter set forth to be a township for the purposes of the aforesaid ordinance:—

MACHAKOS. The area comprised within a circle having a radius of three quarters of a mile with the Collector's office as centre.

And I hereby apply Rules 1, 6, 20 (III) 67, 74, 80, 81, 82, 83, 88, 89, 159, 160, 178, 179, 180, 181, 187, 188, 189, 194, 195, 196, of the Township Rules 1904 to the said Township.

Nairobi,

2nd May, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

RULES.

Rules issued by His Majesty's Commissioner for the East Africa Protectorate under Section 15 (2) and (3) of the Diseases of Animals Ordinance 1906.

Nairobi,
May 14th, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

1. The following quarantine and dipping fees shall be levied in accordance with the Diseases of animals Ordinance 1906 and the rules thereunder.

- | | | | | | |
|---------------------|---|-----|-----|-------|-----------|
| (1) Quarantine fees | | | | | |
| | Bitches with litter until the pups are weaned | ... | Rs. | 0 8 0 | per diem. |
| (2) Dipping charges | | | | | |
| | Sheep for slaughter purposes | ... | Rs. | 0 2 0 | per head. |

PROCLAMATION.

The East Africa Game Ordinance 1906.

WHEREAS His Majesty's Commissioner is empowered by Section 9 of the East Africa Game Ordinance 1906 to prohibit the use of any method of killing or capturing animals which appears to him to be unduly destructive and WHEREAS the use of pits for the capturing or killing of animals appears to me to be unduly destructive NOW therefore I, James Hayes Sadler, His Majesty's Commissioner for the East Africa Protectorate, in exercise of the powers above recited do hereby prohibit the preparation or use upon any Crown Lands of any pit for the purpose of killing or capturing animals: Provided that nothing in this Proclamation shall be deemed to make it an offence for any person being the holder of a game license under the above Ordinance and the occupier of any crown lands under a lease or agreement with the Commissioner to prepare or use upon the lands so occupied by him game pits for the protection of his crops or holding.

Nairobi,
Dated this 14th day of May, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

The public are hereby informed that an area in the neighbourhood of Naivasha has been constituted a Government reserve, and no applications for such land will be entertained by the Land Office. The boundaries thereof are:—

On the North the River Monera from about half a mile above the point where the Government road to Morendat farm crosses it as far as the Nyeri road bridge and thence the said Nyeri road to the waterhole at the foot of the Kinogop Escarpment.

On the East a line drawn from the abovementioned waterhole to the point called Marangishu where the Fort Hall road begins to ascend the said Escarpment.

On the South the Fort Hall Road from Marangishu to its intersection with the boundary of Naivasha township.

On the West the boundary of Naivasha township.

Nairobi,
23rd May 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULES

Rules issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the East Africa Township Ordinance 1903 for the Townships of Nairobi.

Nairobi this 26th day of May, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

DEFINITIONS.

1. For the purpose of these rules "Washing" shall mean and include the washing mangling or ironing of articles of wearing apparel household and domestic linen, and other textile fabrics, and any process incidental thereto.

"Laundry" shall mean any premises or place in which washing is carried on for payment or other valuable consideration.

"Washing Licence" shall mean a licence to do washing issued under these rules.

"Laundry Licence" shall mean a licence to carry on the business of a laundry issued under these rules.

“Dhobie” shall mean any Asiatic or African who carries on the trade of washerman on his own account and is not the proprietor or an employe of the proprietor of any laundry licenced under these rules.

“Person” shall include a Corporation or Company.

2. No person shall carry on within the Municipal Area the business of a laundry in which five or more persons, including the employer and his partners, are engaged in washing unless he shall first have obtained a laundry licence from the Town Clerk.

3. No person who does not hold a laundry licence, or is not employed under contract for a period of not less than one month by the holder of a laundry licence shall do, undertake, or apply for any washing for payment or other valuable consideration within the Municipal Area, unless he shall have first obtained from the Town Clerk a washing licence.

4. No Laundry licence or washing licence shall be issued in respect of any premises or place until such premises or place shall have been certified by the Medical Officer of Health to be suitable in respect to the water supply, ventilation, drainage, construction, or otherwise for the purpose for which such licence is required.

Laundry and washing licences shall contain the name and address of the licensee and particulars as to the place where washing may be carried on under such licence.

6. No person shall do any washing under any Laundry or Washing licence except at a place or places specified in such licence.

7. No Laundry licence shall be granted for a longer period than one year, and every such licence shall terminate not later than the 31st. of December of the year in which it was granted.

8. The fee for a Laundry licence shall be

(a) in the case of a laundry where not more than five persons (including the Employer and his partners) are engaged in washing Rs. 5 per mensem.

(b) in the case of a Laundry where more than five but not more than ten persons (including the Employer and his partners) are engaged in washing, Rs. 7 As. 8 per mensem.

(c) in the case of a Laundry where more than ten persons (including the Employer and his partners) are engaged in washing, Rs. 10 per mensem. Where subsequent to the issue of a licence in respect of any laundry the number of persons employed in such laundry is increased beyond the number provided for in the licence, the owner of the licence shall forthwith report such increase to the Town Clerk, and shall pay the additional licence fee chargeable in respect thereof for the current year or month as the case may be.

9. No washing licence shall be granted for a longer period than one month, and every such licence shall terminate on the last day of the calendar month in which it has been granted. The fee for a Washing licence shall be Rs. 1.

10. Any Dhobie applying for a washing licence under these rules may before such licence is granted be required to submit to be medically examined by the Medical Officer of Health.

11. Every Dhobie holding a washing licence shall while engaged in washing or collecting clothes or applying for articles to be washed or in distributing such articles when washed, wear on his left arm in a conspicuous position a numbered badge which shall be issued to him together with his licence.

12. No Dhobie shall sell, exchange, or part with a badge so issued to him for his own use; and no person shall wear any such badge unless the same was issued to him by the Town Clerk.

13. Every Dhobi shall on the expiration of his licence return his badge to the Town Clerk, and any Dhobie who loses a badge issued to him as aforesaid, or fails to return the same as herein required shall pay the sum of Rs 2. to the Town Clerk and shall not have another badge issued to him until such sum has been paid.

14. The Town Clerk may withhold, cancel, or suspend the licence of any Dhobie on giving his reasons in writing, provided that such Dhobie shall have the right of appeal to the the Chairman of the Municipal Committee.

15. No person licenced under these rules shall keep or suffer to be kept any clothing entrusted to him for the purpose of washing in any place that has not been licenced or authorised for the purpose, and no person shall use any place where such clothing is kept as a living or sleeping apartment.

16. No person who is suffering from an infectious disease or is living in a house in which there is a case of infectious disease shall enter or remain in any premises of any person licenced under these rules or shall engage in any washing or shall perform or assist in performing any work in connection therewith.

17. Any person carrying on the business of a Laundry shall immediately notify to the Medical Officer or Health the occurrence of any actual or suspected case of disease amongst his employes or the members of his household.

18. The Medical Officer of Health may require the holder of any Washing or Laundry licence, with a view to preventing the spread of infectious disease, to furnish him with a full

and complete list of the names and addresses of the customers for whom such license-holder does washing or laundry work or has done such work during six weeks previous to the Medical Officer's requiring such list and such license-holder shall furnish such list accordingly and within the time specified by the Medical Officer of Health.

19. The Medical Officer of Health or Sanitary Inspector or any other duly authorised Official may enter upon and inspect any premises on which the business of a laundry is carried on, and any person who wilfully obstructs or resists such entry and inspection shall be deemed to be guilty of a breach of these rules.

20. No Dhobie while holding a license under these rules shall reside on any premises except those provided for the purpose by the Municipal Committee and called the Dhobie Quarters, and no person other than a licensed Dhobie or a *bona fide* member of the family of such Dhobie shall reside in the Dhobie Quarters.

21. The rent chargeable by the Municipal Committee for Dhobie Quarters shall be Rs. 5 per mensem per room subject to such alterations as may be made from time to time by the Municipal Committee and published in the Official Gazette: and the said rent shall be payable on the first working day of each month; and any Dhobie while renting such quarters shall be entitled to the use of the drying, ironing, and boiler rooms free of charge.

22. Nothing in these rules shall be held to apply to any person washing on his own premises, or to any servant washing on the premises of his employer, articles intended for use on such premises or for the use of the persons residing on such premises.

23. Any person committing a breach of these rules shall be liable on conviction to a fine not exceeding Rs. 200 with or without imprisonment of either kind not exceeding two months except as herein provided to the contrary.

24. These rules may be cited as the Nairobi Township Rules No. 2 of 1906 and shall apply to the Township of Nairobi.

25. The following rules issued under the provisions of the East Africa Township Ordinance 1903 are repeated to the extent hereinafter stated:—

The Township Rules of 1904 as applied to the Township of Nairobi:—
Rules 84, 85 and 86.

NOTICE.

Fees and Royalties Ordinance 1903.

Notice is hereby given that the following tolls are cancelled from the [date of the publication of this Notice:—

The tolls at present leviable on the Voi-Taveta, Voi-Bura and Mazaras-Rabai Roads.

The tolls at present leviable for the use of the Belazoni Canal.

Nairobi,

Dated this 28th day of May 1906.

J. HAYES SADLER

His Majesty's Commissioner.

PROCLAMATION.

Under the East Africa Outlying Districts Ordinance 1902.

In pursuance of the powers conferred upon me by the East Africa Outlying Districts Ordinance 1902 I hereby declare those districts or parts of districts in the Province of Naivasha hereinafter defined to be closed districts for the purpose of the aforesaid Ordinance.

Such closed districts to be in addition to and not in substitution for any districts in the said Province declared to be closed districts under any proclamations now in force:—

(1.) An area bounded on the South by a line drawn from Loseregeri to the South end of Lake Hannington and thence to the Maji Moto stream, by the said stream as far as its source, thence by a line drawn to Eldama Ravine station and thence by the Slater Road as far as the highest point of the Mau range.

On the West by a line drawn from the last mentioned point along the Summit of the Elgeyo Escarpment to the source of the Wei Wei River, thence by that river as far as its junction with the Turkwell River and thence by the Turkwell River up to the point at which it bends eastward.

On the North by the Turkwell River from the last mentioned point to its mouth and thence by the Southern shore of Lake Rudolf.

On the East by a line drawn from the S. E. corner of Lake Rudolf through the summit of Mount Nyiro passing along the western edge of the Loroghi range and the Laikipia and Ngeleshwa Escarpment to Loseregeri.

(2.) An area bounded.

On the North by the Ravine Nakuru road.

On the South by the Visoi River.

On the East by Lord Delamere's Western boundary.

On the West by the Sageri river.

(3.) An area bounded on the North and East by the watershed of the Lorig'hi Mountains thence by a line drawn from its Eastern Extremity passing to the North of Mount Kisima to the junction of the Guaso Narok and Guaso Nyiro Rivers, and thence by the Guaso Nyiro River up to the point where it enters the Forest Reserve defined in the Notification of January 1st 1905.

On the South and West by the boundary of the said Forest Reserve, by the Equator and by the Western face of the Subugo-ol-oildian and Laikipia Escarpments.

Nairobi,
May 30th, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULES.

Issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the East Africa Outlying Districts Ordinance 1902.

Nairobi,
Dated this 30th day of May, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

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1. These rules shall apply to the closed Districts mentioned in the Schedule hereto.
 2. Rule 2 of the rules issued under the East Africa Outlying Districts Ordinance 1902 and dated October 26th 1905 shall not apply to the closed districts to which these rules apply.
 3. A Sub-Commissioner may subject to the provisions of the East Africa Outlying Districts Ordinance 1902 grant licenses to persons to enter a closed district within his province, and a Collector or Assistant Collector may subject to the said provisions grant licenses to persons to enter a closed district within his district.
 4. The licenses granted under these rules shall bear the name and designation of the officer granting the license and in other respect shall be in the form prescribed by the rules issued under the said Ordinance and dated October 26th 1905.
 5. The Commissioner may by any Proclamation declaring a closed district order that these rules shall apply to the closed district and such district shall thereupon be deemed to be added to the Schedule to these rules.

SCHEDULE.

1. The district in the Province of Kenya declared to be a closed district by a proclamation dated the first of May 1906.
2. The districts in the Province of Naivasha declared to be closed districts by a proclamation dated the 30th day of May 1906.

May 30th, 1906

J. HAYES SADLER
His Majesty's Commissioner.

RULES.

Issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the East Africa Protectorate Townships Ordinance 1903.

Nairobi,
Dated this 7th day of June, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

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1. (1) No person shall keep a dog within the limits of a township unless such person or the owner of the dog has registered the same at the office of the Collector or Town Clerk and is the holder of a certificate of registration granted in respect of such dog.

A fee of Rupees 5 shall be charged for a certificate of registration and such certificate shall expire on the 31st day of December of the year in which it is granted. Provided a certificate of registration granted in any one township shall authorise the holder thereof to keep the dog in respect of which the certificate has been granted in that, or in any other township in the Protectorate without further registration.

(2) All dogs kept within a township shall be provided with a collar inscribed with the name of the owner.

(3) These rules shall not apply to dogs under 5 months of age.

2. Rule 184 of the township Rules 1904 is hereby repealed and these rules are hereby applied to every township to which the said rule has been applied.

J. HAYES SADLER
His Majesty's Commissioner.

PROCLAMATION.

In exercise of the powers conferred upon me by the East Africa Fire Arms Ordinance 1906 I hereby declare the following places to be public warehouses for the deposit of arms and ammunition within the meaning of the aforesaid regulations, and I, further declare that the proclamation published under the East Africa fire-arms Regulations 1896 in the "Official Gazette" of August 1st 1904 is hereby withdrawn and I order that all arms and ammunition at present stored on the premises and buildings named in the said proclamation be moved therefrom to the place hereby declared to be a public warehouse.

At Mombasa the room in the office of the Sub-Commissioner at Mombasa reserved for the storing of arms and ammunition.

At Nairobi the store at the back of the Government offices.

Nairobi,
Dated this 15th day of June, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULES.

Made by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the East Africa Forestry Regulations 1902 Section 3. (e).

Mombasa,
Dated this 26th day of June, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

1. The rules made under Section 3 (e) of the East Africa Forestry Regulations 1902 and dated June 15th, 1903 are hereby cancelled.

2. The fee payable for the purchase of timber and other forest produce in East Africa shall be levied in accordance with the rules made under the aforesaid Ordinance and dated October 13th, 1905.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

PARCEL POST WITH SOUTH AFRICA REVISED CHARGES

In exercise of the powers conferred upon me by the Indian Post Office Act 1898, as applied to the East Africa Protectorate I hereby declare that rates of postage for parcels posted in the East Africa Protectorate on and from the 1st day of July 1906 for transmission to the undermentioned countries by the direct service between Mombasa and Durban to be as follows:

Parcels for Natal, the Cape Colony, the Orange River Colony and the Transvaal.

	Rs.	as.	p.
For the first pound (Avoirdupois)	1	2	0
For every succeeding lb. or part of 1 lb. up to a limit of 11 lbs.	0	8	0

Parcels for the Bechuanaland Protectorate and Rhodesia.

For the first lb.	1	14	0
For every succeeding lb. or part of 1 lb. up to a limit of 11 lbs.	1	4	0

Nairobi,

Dated the 21st June 1906.

J. HAYES SADLER

His Majesty's Commissioner.

 PROCLAMATION.]

Under the East Africa Outlying Districts Ordinance 1902.

In pursuance of the powers conferred upon me by the East Africa Outlying Districts Ordinance 1902 I hereby declare those districts or parts of districts in the Province of Ukamba hereinafter defined to be closed districts for the purpose of the aforesaid Ordinance.

Such closed districts to be in addition to and not in substitution for any districts in the said province declared to be closed districts under any proclamations now in force:—

The rules issued under the aforesaid Ordinance and dated the 30th day of May 1906 shall apply to the closed districts hereinafter defined.

KIKUYU NATIVE RESERVE.

On the North. The Chania river from its source to its juncture with the Thika-Thika river.

On the East. (1) From the juncture of the Chania and Thika-Thika in a direct line to a point on the Theta river where the latter stream is crossed by the Fort Hall road.

(2) From the Theta river to the Ruiru river the N. W. boundaries of the following European homesteads form part of the Eastern boundary:—

Messrs Whitehead, Davies and Barrance and Adams.

(3) From the Ruiru river to the Giai river the Western boundary of Mr. Redford's holding.

(4) From the Giai river to the Mikuyu river the North West boundary of Mr. Hosking's holding.

(5) From the Mikuyu river to the Kamiti river.
North and West said of Mr. Pryce's holding.

N. E. side of Messrs Muirhead and Gain's holding.

(6) The N. W. side of Mr. Gain's holding.

(7) On the South of Mr. Gain's holding, and South of part of Mr. Muirhead's holding.

(8) West and South of Mr. Dunman's land, and South of the boundaries of the holdings of Messrs Kendrick and Quin.

(9) The Northern boundary of Mr. Harris's holding, the N. W. boundary of Mr. Duffy's land and the N. E. boundary of Mr. McLellan Wilson's land.

(10) The Western boundary of Mr. Wilson's land, thence along the Kasaraini river to the North corner of Mr. Shillingford's holding.

(11) The N. W. boundary of Mr. Shillingford's land, thence along the Western boundary of Mr. Broderson's land, thence the S. W. boundary of Mr. Broderson's land, thence in a direct line S. W. to the Ruaraka river.

(12) From the Ruaraka to the Karura river along the N. W. boundary of Mr. Newton Wilson's land.

(13) Thence in a S. W. direction to Mr. Mabert's land, thence along the top (N. W.) boundary of Messrs Mabert and Gailey's land.

(14) From the N. W. Corner of Mr. Gailey's land in a direct line (S. W.) along the boundaries of Messrs Gailey and Harrison's land to the Railway line.

(15) From the above point on the Railway line in a direct line S. W. to the Northern boundaries of the holdings of Messrs Peterson and McQueen.

SOUTH

(1) Along the N.W. boundaries of Messrs Paterson and McQueen in a Westerly direction.

(2) From the N. W. point of Mr McQueen's land in a S. W. direction to the Mbagathi Stream, thence along the N. bank of the stream to its source.

WEST (and the South West of the Railway)

(1) The boundary practically follows the Escarpment from the source of the Mbagathi to the Railway Station at the Escarpment, all the land lying in between the Eastern, Southern and Western boundaries as described and the Railway line is Native reserve excepting the following holdings:—

Messrs Paterson, McQueen, Waddell and McAlister, and the Church of Scotland Mission.

(2) N. W. of the Railway line the Native reserve is bounded on its Western side by the following holdings:—

The S. E. boundary of Mr. Cowley's land, the S. W. boundary of Messrs Crawford, Binks, and Sharp's land, the S. and S. E. boundaries of Mr. Sharp's land, the S. E. boundaries of Messrs Pirce and Sulski's land, the S. W. boundaries of Messrs Murray and Ross, Dr. Scott's, land the S. E. boundaries of Dr. Scott's Messrs Uffmann, Johnson and Pelzermann's land to a point where Pelzermann's land touches the Kamiti river.

(3) All land within the above defined boundaries, with the exception of holdings in the names of Messrs Low and Fichat, together with the Fort Smith property, and land held by Church Missionary Society, is part of the Native Reserve.

(4) All land North of the Kamiti river and West of the boundaries described on the East Side and up to the Chauia river, excluding the holdings of the Africa Inland Mission at Kijabi, is part of the Native reserve.

MASAI NATIVE RESERVE.

On the North this reserve is bounded by the Mbagathi Stream and by the Athi River to a point on the latter where the Railway crosses the river.

The Eastern boundary is a line due South from the Athi River Railway bridge to the Anglo-German boundary, thence N. W. along the Anglo-German boundary to the point where it is intersected by the Guaso Nyiro river, thence approximate north along the Guaso Nyiro to a point shewn on the map as Sosian, thence in a N. E. direction to the peak of Donyo Nyuki (Suswa), thence in a Southern direction to a point where the Mbagathi river rises.

Ulu (Machakos) Native Reserve.

North and N. W. From the Northern spur of Ngoleni Hill to Koma rock. From Koma rock to the Western spurs of the Kanjalu range, thence in a direct line East to the Athi river.

East. The Athi river from the above mentioned point to the point on the same river where it is joined by the Simba river.

West. The Mwr hills from their juncture with the Ngoleni spurs (West of Mr. Watt's property) to their Southern terminus at Lanjoro, thence along the Muvongoni stream to its juncture with the Mwanza Stream where they become what is known as the Machakos river thence following the Machakos river to a point where the main road from Machakos road Railway Station to Fort Machakos crosses the river, thence along such road for three miles to a dry river course, from this point in a direct line to the Momandu hills, thence along the Western base of the Kilungu hills to the base of Muka, thence along the base of the hills to Dumbini hill, from Dumbini to the Nduluni valley, thence along the Nduluni or Khoyi stream to a point where this stream turns due east.

South. Following the course of the Khoyi stream to its junction with the Simba stream and thence along the Simba stream to the Athi river.

Kikumbulu (sub district of Ulu)

North. From the N. E. spur of the Kyulu hills in a direct line to Mbwynzau (Kibweze) hill, thence in a direct line East to the Athi river.

East. The Athi river to the point where the Mtito Nde stream enters it.

South. The Mtito Nde stream from the point where it enters the Athi river to its source in the Kyulu hills.

West. The Eastern slopes of the Kyulu hills.

In addition to the above there are settlements of Wakamba at isolated parts of the hills called "Ongolea," they are very scattered and very few in number, they might be described as the "settlements on the Ongolea Mountain."

KITUI.

On the West.

(1) The Athi river from the cable way to a point on the river opposite to which the Mtito Nde Stream enters it.

(2) The main road running from the above mentioned cable way to the Tiva river, thence along the Tiva river to a point opposite Mavani hill.

(3) From the Tiva opposite Mavani along the dry bed of the Kowa river to Kangondi hill, thence in a direct line to the point where the Tana river is joined by the Thika Thika river.

North. Along the Tana river to the termination of the Mumoni range.

North East. From the above point in a direct line to Ngomeni.

East. From Ngomeni to Mount Engau, thence almost due South to a point where 2 degrees of latitude South intersects with 39 degrees longitude.

South. From the last named point in a S. W. line to the point on the Athi river opposite to where the Mtito Nde Stream enters the Athi.

Nairobi,
June 18, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULES.

Made by his Majesty's Commissioner for the East Africa Protectorate under Section 7 of the Indian Telegraph Act. (Act No. 13 of 1885)

Mombasa,
Dated the 26th June 1906.

J. HAYES SADLER
His Majesty's Commissioner.

Rules and Regulations Governing Telephone Services.

PART I.

Telephone Exchange Wires—Local Service.

AGREEMENT.

1. Intending Renters are required to enter into an Agreement with the Postmaster General, and no Telephone installation will be commenced until this Agreement has been completed, and until payment of the first year's rental has been made.

2. If this Agreement be determined at the request of the Renter, the Postmaster General may refund, or allow in account, the proportion of any subscription that may have been paid in respect of the unexpired period of the Agreement.

AREA.

3. A radius of one mile from the Exchange shall generally be regarded as the ordinary area covered by connection with a Telephone Exchange.

RENTALS.

4. The annual rental charged for connection within the ordinary area shall not exceed £14 per annum or be less than £10 per annum for business purposes or £8 per annum for private residences.

5. In the event of the connections being given up before the Agreements for subsequent connections are terminated, the Postmaster General shall have the right to adjust the rentals for the remaining connections in accordance with the tariff above quoted.

6. The annual rental includes the use and maintenance of a Telephone and batteries, a wire circuit to the Exchange, and Exchange attendance during such hours as the Exchange is open for public business.

7. When connection is required with premises beyond the ordinary area of one mile, but not exceeding five miles, a further annual charge shall be payable in respect of the portion of the line outside the ordinary area at the rate of £2 for every half mile or portion thereof.

8. For connection with premises beyond five miles from the Exchange special terms may be charged according to circumstances.

9. The Postmaster General will establish and maintain extension telephones in any building to which an Exchange connection has already been made at a charge of £5 per annum for each extension.

10. Private wires may be made to form extensions of Exchange wires, and may be utilised by the renters for communicating with the Subscribers to an Exchange at a charge of £5 per annum in addition to the charge for the length of the private line.

11. When the number of persons desiring an Exchange service is limited, special rates may, with the approval of the Postmaster General, be arranged.

12. A Telephone Agreement may, with the approval of the Postmaster General, and on payment of a fee of Rs. 10, be assigned to another person for an unexpired portion of the Agreement.

LENGTH OF LINE.

13. The length of the Exchange line is calculated from the Renter's local terminal on the Exchange switch board to the line terminal of his telephone. All measurements in this respect are made at the instance of the Postmaster General, and his decision on the length of line is final.

PERMISSION FOR FIXING TELEPHONE AND RUNNING WIRES.

14. Applicants for Exchange connections are required, when they are not themselves the owners of the premises where a telephone is to be installed, to obtain the permission of the owner of such premises, and to accept responsibility for all work done in connection with the installation and the fixing of such apparatus and appliances as in the opinion of the Postmaster General may be necessary.

APPARATUS.

15. All apparatus, batteries, etc., supplied by the Postmaster General are the exclusive property of the Government, and may be removed on discontinuance of the service from any cause whatever. For this purpose the Postmaster General, or any officer of the Post and Telegraph Department, shall have free access to the premises of the Renter. The Postmaster General, or any officer of the Post and Telegraph Department, shall also have free access for inspection purposes whenever necessary. A Renter shall pay for any damage to the apparatus supplied to him or under his control, not due to fair wear and tear, whether such damage shall result from the negligence or wilful act of any person or from fire or other cause. Special descriptions, of apparatus, including bells, switches, switch boards, indicators, table telephones, etc., may be fitted up at the request of the Renter, at such annual or other cost as may be determined by the Postmaster General.

FAULTS, NOTICE OF.

16. The operators at the Telephone Exchange cannot accept verbal notices of faults in the working of a connection. Such Notices should be given in writing to the local Postmaster.

INTERRUPTIONS AND DELAYS.

17. In the event of the said line not being in good working order, the Postmaster General shall repair and restore the same at his own expense and with all possible despatch but the Postmaster General shall not be held responsible or liable to the Renter in damages or otherwise, howsoever, for any delay in such repair, or for any loss or damage occasioned by the total or partial interruption of the said line, nor shall any abatement be made from the rental by reason of such failure or omission from whatever cause arising, except such line shall have been totally interrupted for a continuous period of at least two weeks.

The line and apparatus will be considered to be in good working order unless written notification of the contrary is received from the Renter.

JOINT RENTERS.

18. Any person occupying offices in the same building as a Renter may, with the Renter's permission be allowed to use the Renter's Telephone, on payment to the Postmaster General of £4 per annum.

ARREAR ACCOUNTS.

19. If a Renter be in arrear with his Exchange subscription or other Telephone accounts and fail to pay the same within one calendar month of the date on which it becomes due, the Postmaster General shall have the power to determine this Agreement, disconnect his Telephone, and enter upon his premises for the purpose of removing all apparatus, wires, etc., and such action shall in no way prejudice the right of the Postmaster General to take such further steps as may be deemed necessary for the recovery of the amount due. The Postmaster General shall also be entitled to recover from the Renter forthwith as liquidated damages, and not by way of penalty (and in addition to any such arrears as aforesaid), a sum equal to the whole rental which would have become payable between such determination and the expiration of this Agreement.

Should a Telephone be discontinued in terms of the foregoing paragraph, the Renter will be required to pay a fee of Rs. 10 before it is again connected with the Exchange, and, if the Telephone has been removed, application to be re-connected will be treated as an application for a new line.

IRREGULAR USE OF TELEPHONE.

20. Except to summon Medical aid, give notice of fire, or to call the police, a Renter must not allow his Telephone to be used for other than his own business or private purposes. Any breach of this rule renders the Renter liable to have his line disconnected and the apparatus removed, without prejudice to the right of the Postmaster General to recover any portion of the subscription which may be due. The Postmaster General may disconnect any Renter from an Exchange, and cause to be removed any apparatus, etc., allotted to a Renter.

(a) If he allows his Telephone to be wilfully damaged or destroyed, or put to any improper or illegal use;

(b) If the connections of the apparatus or wires have been tampered with or altered without the authority of the Postmaster General; and

(c) If improper language is used to the Exchange operators by a Renter or any person using his Telephone.

RENTER'S LINES JOINED THROUGH AT NIGHT.

21. Any Renter may be left connected with any other Renter during the hours an Exchange is closed without extra charge on receipt of a written application signed by both Renters concerned.

REMOVAL OF INSTRUMENT.

22. Should a Renter change his Office, place of business, or residence, and desire the wires and apparatus to be transferred to other premises, he will be required to pay the whole or such proportion of the cost of the alterations as may be decided by the Postmaster General and his rental shall be adjusted if the alterations should necessitate it.

23. The cost will be estimated, and if the estimate exceed Rs. 75, the Renter will be advised before the work is put in hand.

24. The minimum charge for a transfer will be Rs. 10.

25. Twenty-one days' notice should be given for the removal of a Telephone from one address to another.

TELEPHONE EMPLOYEES IDENTIFICATION OF.

26. All persons representing themselves to be officers of the Post and Telegraph Department engaged on Telephone business should be required to produce their authority when seeking permission to enter upon a Renter's premises. Renters, in their own interests, are requested to take every precaution in this respect.

27. The hours during which the Exchanges will be kept open will be regulated from time to time by the Postmaster General.

On receipt of a written request, an Exchange may be kept open after the usual hours at a rate to be specially agreed upon, provided there is no technical objection.

HIGH POTENTIAL CURRENTS.

28. The Postmaster General will not be responsible for any damage or injury, due to fire or other causes, arising from other wires carrying high potential currents making contact with the telephone wires.

MESSAGE RATES.

29. Telephone connections to hotels, commercial exchanges, institutions, restaurants, public-houses, etc., which are not confined to the exclusive use of the Renter, can be granted only on the message rate principle; that is, the charge will be calculated at a rate per conversation initiated, in addition to a fixed maximum rental for the connection.

PART II.

Trunk Service

30. A Trunk Line is a line connecting two Post Office Exchanges. A Telegraph line connecting two postal telegraph offices (whether Telephone Exchange Offices, or otherwise) and used occasionally for telephone communication is considered as a "Trunk Line."

31. A subscriber (or Renter) to a local Exchange may be connected with a trunk line on payment of the charges applicable to telephone communication with the station with which he is placed in connection.

32. If the station on the Trunk Line to which the subscriber is connected has a telephone exchange he may be connected also with any subscriber to that exchange. In such cases the charge for the Trunk Service shall be paid by the subscriber applying for the connection.

33. A subscriber to a local exchange may arrange with the Postmaster General to have a deposit account at the Exchange Office to which he is connected. His account will be debited for each Trunk Line connection at the rate charged at Public Call Offices.

PART III.

Public Call Offices

34. Public Call Offices may be established at convenient points in connection with Telephone Exchanges, and may be provided with Private Cabinets into which persons are admitted for the purpose of communicating with other Call Offices or Renters connected with the Exchange systems, subject to the following Rules and Regulations:—

35. The charge for an ordinary call of 3 minutes to any local Exchange connection, exclusive of the Trunk System, is 4 annas.

36. When Telephone Exchanges in different towns or settlements are connected by Trunk Lines, such lines may be used for conversations at the following charges:—

For every conversation not exceeding three minutes with any Telephone Renter;

					Rs.	as.
(a)	Within a radius of 25 miles	...	...	...	0	8
(b)	Beyond 25, but within a radius of 50 miles	...	...	...	1	0
(c)	Beyond 50, but within a radius of 75 „	...	...	...	1	8
(d)	Beyond 75, but within a radius of 100 „	...	...	...	2	0

and so on, increasing by 8 annas for every 25 miles additional.

37. Any unnecessary delay which may be attributed to the subscriber with whom connection is required will be reckoned as part of the time to be paid for.

PART IV.

Telephoning Telegrams.

Use of telephones for sending and receiving telegrams:—

38. A subscriber, having arranged a deposit account with the Postmaster General, may, by means of his exchange wire, send and receive telegrams to and from any exchange where

there is a Telegraph Office. All messages so despatched or received being subject to the Rules and Regulations governing the acceptance and transmission of ordinary telegrams.

The following are the charges in connection with this service:—

Class of Message.	Charges.
Telegrams sent to the Exchange for delivery from the Telegraph Office thereat, and <i>vice versa</i> .	The ordinary rates for a telegram of similar class.
Telegrams sent to the Exchange for transmission to and delivery from and other Telegraph Office.	The ordinary telegraph charges plus 3 annas for each 8 or fraction of 8 words contained in the text of the message.
Telegrams sent from the Exchange to the subscriber.	3 annas for each 8 or fraction of 8 words contained in the text of the message. The ordinary Telegraph copy of the message is also forwarded by post to the subscriber.

Mombasa,
Dated the 26th June, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULES.

Rules made by His Majesty's Commissioner for the East Africa Protectorate in pursuance of the powers conferred upon him by section 46 of the Indian Post Office Act 1898 (Act VI of 1898).

Mombasa,
Dated this 28th day of June, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

Post Office Rules Relating To Foreign Money Orders.

1. On and after the 1st day of August 1906 the rate of exchange for foreign money orders expressed in sterling and paid in the East Africa Protectorate in rupee currency also for foreign money orders expressed in sterling and purchased in the East Africa Protectorate in rupee currency shall be Rs. 15/- to the pound sterling.

2. On and after the first day of August 1906 the rates of commission upon Money Orders, expressed in sterling currency, issued in the East Africa Protectorate for payment in countries abroad shall be:—

	Rs. as.
For sums not exceeding £2 Commission	0 8
” ” £5 ”	1 0
” ” £7 ”	1 8
” ” £10 ”	2 0

Continuing up to £40 (the limit for single orders) at the same scale.

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

The Game Ordinance 1906.

Ivory produced by persons lawfully possessing the same as provided by Section 7 Sub-Section 5 of the Game Ordinance 1906 shall be clearly marked with a number, the date of marking and the signature of the officer marking the same. Such office shall immediately inform the Chief of Customs of the number of tusks marked, the manner of marking, and of the number of the same.

Mombasa,
June 30th 1906.

J. HAYES SADLER
His Majesty's Commissioner.

EAST AFRICA PROTECTORATE.

Rules.

Made by the High Court under Section 43 of the Divorce Ordinance 1904.

1. A summons shall issue in all suits under the Divorce Ordinance 1904 and a copy of the Petition shall be attached thereto.
2. Service shall be effected in the manner provided for the service of summonses and notices under the Code of Civil Procedure.
3. The following fees shall be chargeable :—
 - (1.) On a petition for a dissolution or declaration of nullity of marriage, or for a judicial separation or restitution of conjugal rights.

(a) in non native cases	...	...	Rs. 75
(b) in native cases	...	...	„ 15
 - (2.) Where a protection order is prayed for a fee calculated upon the estimated value of the property to be protected according to the ordinary scale for civil actions.
 - (3.) In all other cases the ordinary schedule of fees for civil actions shall apply.
4. The forms in the schedule to these Rules may be used in proceedings under the Ordinance.
5. These Rules may be cited as the “ Divorce Rules 1906.”

Mombasa,
4th July, 1906.

Approved,
J. HAYES SADLER
His Majesty's Commissioner.

R. W. HAMILTON
J. W. BARTH
Judges.

SCHEDULE.

FORM 1.

IN H. M. HIGH COURT OF EAST AFRICA.
Divorce Jurisdiction.

To His Majesty's High Court of East Africa.

The humble PETITION of.....

SHOWETH:—

1. That your petitioner at present resides at.....
.....in the East Africa Protectorate. Residence of petitioner.
2. That your petitioner professes the Christian religion. Religion.
3. That your petitioner was on the.....day of.....
.....lawfully married to the respondent Marriage.
at the church.....of.....at.....in
the district of.....in.....
(a) Such marriage was solemnized under the provisions of the.....
.....Ordinance in force in the.....Protectorate.
(b) That after the said marriage your petitioner lived and cohabited
with the said.....at.....

and at.....and that there are issue of the said marriage
children to wit.....

(In petitions for the dissolution of marriage, by husband.)

Adultery.

4. That since the solemnization of the marriage your petitioner's wife, on or about the.....day of.....and on other days between that day and.....at.....in the district of.....in the.....Protectorate did commit adultery with.....or with some person or with divers persons unknown to your petitioner.

(In petitions for dissolution of marriage, by wife.)

Change of faith with.

5. That since the solemnization of the marriage your petitioner's husband has changed his profession of Christianity for the profession of the.....religion, and,

Marriage with another woman.

(a) has gone through a form of marriage with.....

or, incestuous adultery.

(b) that on or about the.....day of.....and on other days between that day and....., the said.....at.....committed incestuous adultery with.....a.....of your petitioner.

Bigamy with adultery.

6. That on the.....day of.....at.....in the district of....., the ceremony of marriage was duly performed between the said.....and one....., your petitioner his lawful wife being then alive, whereby the said.....committed bigamy, and that from and after the above date, particularly on or about the.....day of.....the said.....and the said.....cohabited and committed adultery together.

Marriage with another woman with adultery.

7. That on the.....day of.....at.....in the district of....., the ceremony of marriage was duly performed between the said.....and one.....your petitioner his lawful wife being then alive, and that from and after the above date, particularly on or about the.....day of.....the said.....cohabited and committed adultery together.

Rape.

8. That on the.....day of.....at.....in the district of.....the said.....committed a rape upon the person of.....

Sodomy.

9. That on the.....day of.....at.....in the district of.....the said.....committed the offence of sodomy.

Bestiality.

10. That on the.....day of.....at.....in the district of.....the said.....committed the offence of bestiality.

Adultery with cruelty.

11. That on or about the.....day of.....and on other days between that day and.....the said.....at.....in the district of.....committed adultery with....., or with some person or with divers persons unknown to your petitioner; and,

(a) that the said.....in or about the month of.....at.....in the district of.....did violently assault your petitioner by striking her in the face with his clenched fists and by knocking her down.

(b) that on the.....day of.....in the said year at.....as aforesaid the said.....violently assaulted your petitioner and dragged her out of bed by the hair of her head, and kicked her and threatened to kill her.

Adultery with desertion.

12. That on or about the.....day of.....and on other days between that day and.....the said.....at.....in the district of.....committed adultery with.....or with some person or with divers persons unknown to your petitioner; and

(a) that on or about the..... day of.....the said.....deserted your petitioner without reasonable excuse, and from that time down to the present, being for the space of two years and upwards has continued to desert your petitioner.

(In petitions for nullity of marriage.)

13. That on the.....day of.....at the church of **Marriage.**
.....at.....in the district of.....
in the Protectorate of.....the ceremony of marriage was performed between the petitioner and.....of.....

14. That the said.....was at the time of the said **Impotency.** marriage and has ever since been, wholly unable to consummate the said marriage, by reason of the ^{malformation} and impotence of ^{his} parts of generation.

(a) That the said ^{malformation} and impotence of the said..... is wholly incurable by art or skill.

15. That at the time when the said ceremony of marriage was performed **Consanguinity or Affinity.** your petitioner was the lawful (or natural).....of the said.....

16. That on the said day of.....when the said ceremony of marriage was performed in fact between the said..... **Lunacy or idiocy.** and.....the said.....was, and had for some time been of unsound mind, and unable to contract marriage.

17. That on the.....day of....., when the said ceremony **Former wife or husband living.** took place between your petitioner and the said....., the ^{husband} of the said.....was living, and ^{his} said marriage with the respondent had in no way been annulled or dissolved.

18. That your petitioner was induced to be a party to the said ceremony **Force.** of marriage, not of her own free will but through fear and terror of the said respondent.

19. That your petitioner was induced to be a party to the said ceremony **Fraud.** of marriage by reason of false representations fraudulently made to her by the respondent, to the effect..... which representations your petitioner believed to be true.

(In petitions for judicial separation.)

20. Cruelty Sec. 11 (a & b); adultery Sec. 4; desertion Sec. 12 (a).

(In petitions for the restitution of Conjugal Rights.)

21. That the said.....did on the..... **Withdrawal from cohabitation.** day of.....withdraw from cohabitation with your petitioner, and has ever since, without any just cause kept and continued away from her, and has also refused and still refuses to render her conjugal rights.

(In all above petitions except 21.)

22. That no collusion or connivance exists between myself and the said **Absence of collusion or connivance.**

(Claim for damages.)

23. That your petitioner claims from the said..... **Damages.** as damages in respect of such adultery the sum of..... Your PETITIONER therefore humbly prays for a decree :—

1. That the said marriage of your petitioner with the said..... may be dissolved.

(a) That the said marriage celebrated as aforesaid between your petitioner and the respondent is null and void.

(b) That your petitioner may be judicially separated from the said.....

(c) That the said.....do take home and receive your petitioner as his wife and render her conjugal rights.

2. That the petitioner may have the custody of the child or children of the said marriage.

3. That the said.....may be condemned in such damages as may be awarded in respect of the said adultery; that the said damages be applied

for the benefit of your petitioner and of the said children, respectively, of the said marriage, or otherwise, as may seem meet to the Honourable Court.

4. That the respondent pay the costs of and incident to the petition.

5. That your petitioner may have such further and other relief in the premises as to the Honourable Court may seem meet.

Mombasa,
.....190..... Petitioner

Verification.

I certify that the statements in paragraph.....
are true to my knowledge and that the statements in paragraphs.....
.....are true to the best of my information and belief.

.....
Petitioner.

FORM 2.

IN HIS MAJESTY'S HIGH COURT EAST AFRICA AT MOMBASA.

Divorce Jurisdiction.

CAUSE No. OF 190 .

.....Petitioner.

Versus.

.....Respondent.

..... } Co-Respondents.
..... }
..... }

WHEREAS the petitioner has petitioned this Court for a Decree for.....
.....(a copy of which petition is attached
hereto), you are hereby summoned to appear in this Court in person or by Agent
on the.....day of.....190...at.....o'clock in
the.....noon or as soon thereafter as the case can be heard to answer the
above petitioner and for such further orders as the Court may make for the
disposal of the suit, AND take notice that in default of your so doing the peti-
tion will be heard and determined in your absence.

To

.....
JUDGE.

FORM 3.

IN HIS MAJESTY'S HIGH COURT OF EAST AFRICA AT MOMBASA.

Divorce Jurisdiction.

CAUSE No. OF 190 .

.....Petitioner.

Versus.

.....Respondent.

..... } Co-Respondents.
..... }
..... }

THIS cause coming on the.....day of.....190...
for hearing before His Honour Judge.....in the presence of.....

IT IS ORDERED that unless before the.....day of.....190...
appearance is entered in this Court by any person to shew cause to the contrary
or intervene the marriage between the parties solemnized at.....
in.....on the.....day of.....190...
be dissolved.

IT IS FURTHER ORDERED that the.....
have the custody of the child.....of the marriage, and that
.....

Dated this the.....day of.....190...

.....
JUDGE.

FORM 4.

IN HIS MAJESTY'S HIGH COURT OF EAST AFRICA AT MOMBASA.

Divorce Jurisdiction.

CAUSE No. OF 190 .

.....Petitioner.

Versus.

.....Respondent.

..... } Co-Respondents.
..... }
..... }

UPON the application of.....the petitioner, and
upon it appearing that no person has applied to shew cause to the contrary or
intervene the DECREE NISI for the dissolution of the marriage solemnized
between the parties on the.....day of.....190...
IS HEREBY MADE ADSOLUTE.

Dated this.....day of.....190...

.....
JUDGE.

NOTICE.

Supplementary Parcel Post with the United Kingdom by German Steamers.

In exercise of the powers conferred upon me by the Indian Post Office Act 1898, as applied to the East Africa Protectorate, I hereby declare the rates of postage for parcels posted in the East Africa Protectorate on and from the 1st day of August 1906, to be forwarded to the United Kingdom by the supplementary parcel post service by the intermediate steamers of the German East Africa Line, to be as follows:—

For Parcels not exceeding:—

3 lbs.	7 lbs.	11 lbs.
Rs. 1/8	Rs. 2/4	Rs. 3/-

Nairobi,
The 19th July, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

APPEAL COURT RULES.

NOTICE.

His Britannic Majesty's Court of Appeal for Eastern Africa.

THE FOLLOWING Rules of Court made by His Britannic Majesty's Court of Appeal for Eastern Africa with the approval of the Secretary of State under section 8 of the Eastern Africa Protectorates (Court of Appeal) Order in Council 1902 are published for general information.

LINDSEY SMITH.
President of the Court of Appeal.

APPEAL COURT RULES.

FEES ON APPEALS.

Rule 27 of the Appeal Court Rules 1904 is hereby repealed and the following Rule substituted.

Rule 27. The following Fees shall be taken by the Court of Appeal on setting an appeal down for hearing in the appeal Court list.

(A)—IN CIVIL MATTERS.

1. In final appeals where the amount or value of the subject matter in dispute is less than 100 rupees	Rs	l.	s.
Where the amount or value of the subject matter in dispute is 100 rupees or upwards, for every 100 rupees or part thereof in excess of 100 rupees up to 1,000 rupees	8	0	0
Where such amount or value exceeds 1,000 rupees, for every 100 rupees or part thereof in excess of 1,000 rupees up to 5,000 rupees.....	5	0	0
Where such amount or value exceeds 5,000 rupees, for every 250 rupees or part thereof in excess of 5,000 rupees up to 10,000 rupees.....	10	0	0
Where such amount or value exceeds 10,000 rupees, for every 500 rupees or part thereof in excess of 10,000 rupees up to 20,000 rupees.....	15	0	0
Where such amount or value exceeds 20,000 rupees for every 1,000 rupees or part thereof in excess of 20,000 rupees up to 30,000 rupees.....	20	0	0
Where such amount or value exceeds 30,000 rupees for every 2,000 rupees or part thereof in excess of 30,000 rupees up to 50,000 rupees.....	20	0	0
Where such amount exceeds 50,000 rupees, for every 5,000 rupees or part thereof in excess of 50,000 rupees.....	20	0	0
(Provided that the maximum fee leviable shall be 2,000 rupees)			
2. In all interlocutory matters and motions.....	25	0	0
3. In the event of an appeal not coming on for hearing the Appeal Court shall have power to remit one half the fees charged by it.			

(B).—CRIMINAL MATTERS.

1. On setting appeal down for hearing.....	50	0	0
2. (Provided that the Court may reduce this fee in whole or in part if in its opinion the circumstances warrant it.)			

(C.)—APPEALS TO HIS MAJESTY IN COUNCIL.

Rs. A. P.

1. On Application for leave to appeal..... 30 0 0
2. On making up the record of appeal such sum as the Court thinks fit.

The fee list at present in force in His Britannic Majesty's Court for Zanzibar, or any other fee list that may be substituted for it, shall be deemed to be the list of fees that shall be taken in matters other than those mentioned above.

SCHEDULE OF FEES.

(A) IN CIVIL MATTERS No. 1.

Value of matter in dispute.	Fee.	Value of matter in dispute.	Fee.
Rupees.	Rupees.	Rupees.	Rupees.
100 or less	8	4,000	230
200	16	5,000	280
300	24	6,000	320
400	32	7,000	360
500	40	8,000	400
600	48	9,000	440
700	56	10,000	480
800	64	11,000	510
900	72	12,000	540
1,000	80	13,000	570
1,100	85	14,000	600
1,200	90	15,000	630
1,300	95	16,000	660
1,400	100	17,000	690
1,500	105	18,000	720
1,600	110	19,000	750
1,700	115	20,000	780
1,800	120	30,000	980
1,900	125	40,000	1,080
2,000	130	50,000	1,180
3,000	180	60,000	2,000

At the Court at *Buckingham Palace*,
The 30th day of June, 1906.

PRESENT,

The KING'S Most Excellent Majesty in Council.

WHEREAS by treaty, grant, usage, sufferance, and other lawful means, His Majesty has power and jurisdiction within the East Africa and Uganda Protectorates:

And whereas by the East Africa and Uganda (Currency) Order in Council, 1905, provision is made with respect to the currency of the two Protectorates, and it is expedient to make further provision with respect thereto:

NOW THEREFORE His Majesty, in pursuance of the powers vested in Him by the Foreign Jurisdiction Act, 1890, or otherwise, is pleased by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. The East Africa and Uganda (Currency) Order in Council, 1905, shall be read and have effect as if—

(a) The following article were substituted for Article 8 of that Order—

“8. In the making of any existing subsidiary coin or new subsidiary coin a remedy, or variation from the standard weight, and, in the case of silver coins, from the standard fineness, required by this Order, shall be allowed of an amount not exceeding that specified as respects weight and fineness respectively in the Third Schedule to this Order”; and

(b) the Schedule to this Order were substituted for the Third Schedule to that Order.

2. This Order shall come into operation in each Protectorate on such day as may be fixed by the Commissioner by proclamation.

3. This Order shall be read as one with the East Africa and Uganda (Currency) Order in Council, 1905, and may be cited as the East Africa and Uganda (Currency) Order in Council, 1906.

And the Lords Commissioners of His Majesty's Treasury, and the Right Honourable the Earl of Elgin, K.G., one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein.

A. W. FITZROY.

SCHEDULE.

Subsidiary Coins For East Africa And Uganda.

Portion of Rupee for which tender.	Coin.	Millesimal Fineness.	STANDARD WEIGHT.		LEAST CURRENT WEIGHT.		REMEDY ALLOWANCES.	
			Grains.	Grammes.	Grains.	Grammes.	Weight.	Millesimal Fineness.
0.50	<i>Silver.</i> Fifty cent piece ...	800	90.0	5.832	85.5	5.540	Two grains on such a number of coins of each denomination as is legal tender for, or has a currency value of, two rupees	4
0.25	Twenty-five cent piece ...	800	45.0	2.916	42.7	2.767		4
0.10	<i>Nickel Bronze or other Metal</i> <i>or Mixed Metal.</i> Ten cent piece ...	...	175.0	11.340	...	...	A weight not exceeding the weight of one piece in every forty pieces.	None.
0.05	Five cent piece ...	...	87.5	5.670	...	...
0.01	One cent piece ...	...	30.0	1.944	...	...
0.005	Half cent piece ...	...	15.0	0.972	...	...

PROCLAMATION.

In the exercise of the powers conferred upon me by the East Africa Townships Ordinance 1903 I hereby declare that the Rules relating to Dhobis and Laundries published in the "Official Gazette" of June 1st 1906 page 203 shall apply to the Township of Kisumu.

Nairobi,
Dated September 13th, 1906

J HAYES SADLER.
His Majesty's Commissioner.

NOTICE.

The Game Ordinance 1906.

License holders are warned that shooting is prohibited within the Uganda Railway Zone *i.e.*, one mile on either side of the Uganda Railway, between the Tsavo River and the bridge across the Ngong River, near Nairobi as the whole of that area is within the Southern Game Reserve.

Nairobi,
Dated this 27th day of September, 1906

J. HAYES SADLER
His Majesty's Commissioner.

NOTICE.

Under the Diseases of Animals Ordinance 1906.

Notice is hereby given that so much of the Proclamation Dated December 23rd 1905 and made under the Diseases of Animals Ordinance 1906, as prohibits the importation of sheep and goats from any place situate in Africa South of 10° South Latitude is from this date withdrawn.

Nairobi,
Dated this 27th day of September, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

HIS MAJESTY'S HIGH COURT OF EAST AFRICA.

RULES made by the High Court with the approval of His Majesty's Commissioner under the provisions of the East Africa Order in Council 1902 Article 22.

No. 3 of 1906.

1. The fees specified in the Schedule hereto annexed shall henceforth be leviable by the High Court of East Africa and the Courts subordinate thereto in respect of the several matters and proceedings mentioned therein.

2. (i) In the Schedule to the East Africa Court Fees Rules 1902 the fees numbered 1—19 inclusive and 38—73 inclusive are hereby annulled.

(ii) The amendment Rules 1906 of the East Africa Court Fee Rules 1902 are hereby annulled.

3. These Rules may be cited as "Rules of Court (Fees) No. 3 of 1906."

Mombasa,
The 1st day of September, 1906.

J. W. BARTH
A. T. B. CARTER
Judges of the High Court.

Approved:

J. HAYES SADLER
His Majesty's Commissioner.

SCHEDULE.

I.—CIVIL

	Rs.	s.	p.
1. For taking particulars of plaint	0	8	0
2. In all suits unless otherwise specified—			
Where the amount involved is—			
(a) Not exceeding ten rupees	0	8	0
(b) Not exceeding 50 "	1	0	0
(c) Exceeding 50 rupees and not exceeding 100 rupees	2	0	0

(d) Exceeding 100 rupees } An additional fee of 2 rupees for every 100 rupees or part thereof up to 1,000 rupees, and an additional fee of 1 rupee for every 100 rupees in excess of 1,000 rupees. The whole fee levied not to exceed 1,000 rupees.

		Rs. a. p.
3.	On submission of special case, to include hearing	30 0 0
4.	In every suit where it is impossible to estimate the subject-matter at a money value, and with regard to which no special fee is prescribed, unless in any class of cases the Judge otherwise orders Provided that in every case where by reason of any finding or order of the Court a declaration of ownership of any money or property is made an <i>ad valorem</i> fee at the same rate as in fee 2 shall at once become payable, less the fee already paid.	10 0 0
5.	In a suit for arrears of rent by landlord against tenant where an order for the possession of the property occupied is sought from the tenant. } An <i>ad valorem</i> fee of 5 per cent on the yearly rental of the property in addition to the fee leviable for recovery of rent under fee 2.	
6.	Where no rent is claimed but order for possession only. } An <i>ad valorem</i> fee of 5 per cent on the yearly rental value of the property.	
7.	On every interlocutory application, including the filing of an affidavit in support	3 0 0
8.	On every order made thereon	2 0 0
9.	On application for a mandamus or final prohibitory injunction unless the Judge otherwise orders	50 0 0
10.	On every summons, motion, application or demand taken out, made or filed (not particularly charged)	5 0 0
11.	On every decree or order (not particularly charged)	2 8 0
12.	On order of adjournment of hearing rendered necessary by default of either party (to be paid by that party) } Such sum as the Judge may order, not exceeding	10 0 0
13.	On every warrant of execution against property—	
	(a) Not exceeding 100 rupees } To include	2 0 0
	(b) Exceeding 100 rupees and not exceeding 500 rupees } keeping	5 0 0
	(c) Exceeding 500 rupees and not exceeding 1,000 rupees } for 15 days	10 0 0
	(d) Exceeding 1,000 rupees and upwards } Court otherwise orders. }	20 0 0
14.	On taking or passing an account by an officer of the Court, otherwise than in Court, unless the Judge otherwise orders And in addition for every hour or part thereof after the first spent in taking or passing such account	10 0 0 5 0 0

II.—Criminal.

		Rs. a. p.
15.	On every summons or warrant issued at the instance of a private individual unless specially directed by the Court to be issued free of charge	2 0 0
16.	For service—	
	(a) Within 2 miles (English) of the Court issuing the same	1 0 0
	(b) Beyond that } Such fees as will cover the cost of service, but distance } not less than 2 rupees.	
17.	On hearing unless specially directed by the Court to be free	2 0 0
18.	On warrant of commitment	1 0 0
19.	On every recognizance or bail bond	1 0 0
20.	On any proceedings taken at the instance of private individuals in respect of offences under Chapter XXI of the Indian Penal Code fees shall be charged as far as possible upon the same scale as in a civil action for damages unless the Judge otherwise orders	

III.—Bankruptcy And Liquidation by Arrangement or Composition.

		Rs. a. p.
21.	On declaration by a debtor of inability to pay his debts	4 0 0
22.	On application under Chapter XX of the Code of Civil Procedure	4 0 0
23.	On bankruptcy petition	80 0 0
24.	On petition for arrangement or composition	15 0 0
25.	On order of adjudication	15 0 0
26.	On meeting or adjournment of meeting	15 0 0
27.	On order of discharge	30 0 0
28.	On notice to creditors (each)	0 4 0
29.	On preparing advertisement	4 0 0
	Provided that if, on account of the small value of the estate, the Judge thinks fit to reduce any of the above fees (numbered 21 to 29), he may do so.	

IV.—Miscellaneous.

30.	For service of summons, petition, answer, motion-paper notice, warrant, decree, order, or other document on a party, witness, assessors, or other person under any branch whatever of the civil jurisdiction—	
-----	---	--

		Rs. a. p.
(a) Within 2 miles (English) of the Court issuing the same	...	1 0 0
(b) Beyond that distance	} Such fees as will cover the cost of service, but not less than 2 rupees.	
31. On the issue of every witness summons	...	1 0 0
32. For attending to view, in addition to all expenses incurred, unless the Judge otherwise orders	...	10 0 0
33. On taxation of any bill of costs, for every ten folios	...	5 0 0
34. On deposit of any document	...	15 0 0
35. For taking an affidavit	...	1 0 0
36. For every exhibit to an affidavit or declaration	...	0 8 0
37. For attending to administer an oath or affirmation, or to take a declaration elsewhere than at the offices of the Court, in addition to the ordinary fee thereon	...	5 0 0
38. On every deposition taken by the Judge before trial	...	5 0 0
39. On evidence taken on commission—		
(a) To be charged by the officer taking the evidence	...	10 0 0
(b) And in addition for every hour or part thereof after the first	...	5 0 0
40. On balances of state of deceased persons paid into Court	} 2½ per cent on the amount of value up to 1,000 rupees and 1 per cent above, in no case exceeding a total fee of 50 rupees.	
41. For superintending or taking an inventory		
42. On deposit of any money or valuables in Court		
43. On payment of money into Court in an action	} 1 per cent not exceeding a total fee of 25 rupees.	
44. On filing in the High Court any document for the filing whereof no other special fee is prescribed under the present Schedule	...	Rs. a. p. 2 0 0
45. On filing in any Court, other than the High Court, any document for the filing whereof no other special fee is prescribed under the present Schedule	...	1 0 0
46. For certifying signature or seal	...	4 0 0
47. Certifying documents for use in Judicial proceedings—		
(a) For first folio of 100 words	...	2 0 0
(b) For each subsequent folio or part thereof	...	1 0 0
(c) All certificates not otherwise provided for	...	2 0 0
48. For attendance of an officer of the Court at a sale	...	10 0 0
And in addition for every hour or part thereof after the first	...	5 0 0
49. On reference to the archives	...	2 0 0
50. For certified copy of any document in the archives—		
(a) For first folio of 100 words	...	2 0 0
(b) For each subsequent folio	...	1 0 0
51. For uncertified copy of any document in the archives—		
(a) For first four folios or part thereof	...	1 0 0
(b) For each subsequent folio	...	0 4 0
52. For an official certified translation of any document—		
(a) For first folio	...	8 0 0
(b) For each subsequent folio	...	4 0 0
(c) For certifying translation tendered by a party—		
For first folio	...	4 0 0
Each subsequent folio or part thereof	...	2 0 0
53. For communication with another Tribunal out of jurisdiction of the Court	...	8 0 0
54. For communication with another Tribunal within the jurisdiction of the Court	...	2 0 0
55. On every recognizance or bail bond	...	1 0 0
56. On a reference to the High Court other than an appeal unless the Judge otherwise orders	...	10 0 0
57. Reference to archives	} Inspection of files of pending cases may at discretion of the Judge be granted free to parties directly interested subject to this exception	
		...

V.—*Appeal.*

(A) On appeals from any Court within the Protectorate to any other Court within the Protectorate.

(i.)—*In Civil Matters.*

58. On filing a memorandum of appeal } An *ad valorem* fee of 4 rupees for every 100 rupees or part thereof, such fee not to exceed 40 rupees
 Provided that, if the appeal be abandoned, half the fee shall be returned.
59. On every appeal where it is not possible to estimate the subject matter at a money value } A fee not to exceed twice the fee charged in the lower Court.

Rs. a. p.

60. (a) On every appeal from a Special Native Court under Ordinance 31 of 1902 when amount in dispute does not exceed Rs. 1,000/- an inclusive fee of ... 10 0 0
 (b) In other cases such fee as is provided in Article 58.
61. On every security for cost ... 5 0 0

(ii)—*Criminal Matters.*

62. On filing a memorandum of appeal ... 10 0 0
 Provided that the Judge may reduce this fee at his discretion.
63. On every appeal from a Special Native Court under Ordinance 31 of 1902 an inclusive fee of ... 10 0 0
- (B)—On appeal from the High Court to the Court of appeal for Eastern Africa.

	Rs. a. p.
(i)— <i>In Civil Matters.</i>	
64. On filing memorandum of appeal against decree	10 0 0
65. " " " " interlocutory order	5 0 0
66. On every security for costs	5 0 0
67. On record of appeal (including expenses of transmission.)	Such sum as the Court may direct.

(ii)—*In Criminal Matters.*

68. On the appeal	10 0 0 or such lesser sum as the Court may direct
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VI.—*On Admission of Legal Practitioners.*

69. On certificate of admission to practice	200 0 0
70. On each annual renewal of such certificate	30 0 0

The following fees are published for general information:—

I. FEES leviable under the Divorce Ordinance 1904 Section 43, vide Divorce Rules 1906.	
(1) On a petition for a dissolution or declaration of nullity of marriage, or for a Judicial separation or restitution of conjugal rights:	
(a) In non native cases	75 0 0
(b) In native cases	15 0 0

(2) Where a protection order is prayed for. } a fee calculated upon the estimated value of the property to be protected according to the ordinary scale for civil actions.

(3) In all other cases the ordinary schedule of fees for civil actions shall apply.

II. FEES payable under the Notaries Public Ordinance 1906:

I. On appointment as a Notary Public for a license to practice until 31st December		Rs. a. p.
	after such appointment	100 0 0
	Annual renewal of such certificate	30 0 0
II. 1.	For noting a Marine Protest and furnishing one certified copy if required	5 0 0
2.	For filing a request for survey and issuing order of survey	7 8 0
3.	For receiving report of survey, filing original in archives (if not exceeding 200 words) and furnishing, if required, one certified copy of request, order, and report of survey	15 0 0
4.	For extending Marine Protest, if not exceeding 200 words, filing original and furnishing one certified copy if required. This is to be exclusive of any fee for oaths or declarations or for drawing if required the body of the protest	15 0 0
5.	For any other Protest, if not exceeding 200 words, filing the original and furnishing one certified copy if required. This is to be exclusive of any fee for drawing if required the body of the protest	15 0 0
6.	If the Protest or report of survey exceed 200 words for every additional 100 words or fraction thereof	2 0 0
7.	For administering an oath, or receiving a declaration or affirmation, without attestation of signature	1 0 0
8.	For administering an oath, or receiving a declaration of affirmation, with attestation of signature	5 0 0
9.	For each signature attested by a Notary Public in any document not otherwise provided for	5 0 0
10.	For certifying to a copy of any document or part of a document, if not exceeding 100 words	5 0 0
11.	For uniting documents and attaching Notary Seal to the fastening	2 0 0
12.	For directing search for, or obtaining, from public Record Office or elsewhere, extracts from local registers, or copies of wills, deeds, or other matters, in addition to expenses incurred and any fees for attestation	5 0 0
13.	For affixing Notary signature, and seal if required, to any document not otherwise provided for by this table	5 0 0
14.	For each Notary Public seal affixed to a document packet or article, when no signature is required	5 0 0
15.	Any other Notarial act not specified above	5 0 0

RULES.

Rules made by His Majesty's Commissioner for the East Africa Protectorate in pursuance of the powers conferred upon him by Section 46 of the Indian Post Office Act 1898 (Act VI of 1898).

Mombasa,

Dated this 26th September, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

Post Office Rules relating to Imperial Postal Orders

1. On and after the 1st day of October 1906 Imperial Postal Orders will be issued at certain Offices in British East Africa.

2. The following are the amounts for which Postal Orders will be issued together with the poundage payable.

1/-	2 annas
1/6	2 "
2/-	2 "
2/6	2 "
3/-	2 "
3/6	2 "
4/-	2 "
5/-	2 "
7/6	3 "
10/-	3 "
10/6	3 "
15/-	4 "
20/-	4 "

3. On and after the 1st day of October 1906 Imperial Postal Orders issued in British Possessions and Other Places Abroad will be payable at certain Offices in British East Africa.

4. The rate of exchange for Imperial Postal Orders paid and purchased in rupee currency in British East Africa shall be Rs. 15/- to the pound sterling.

J. HAYES SADLER
His Majesty's Commissioner.

RULES.

Rules issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of "The East Africa Township Ordinance 1903."

Nairobi,
Dated this 2nd day of October, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

I. After the hours of 6-30 p.m. and until 6 a.m. Railway time every cart or 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 cart or vehicle is proceeding and giving a light equal to not less than one candle power per lamp, provided that every cart used for freight, merchandise or carrying wood shall carry a tail lamp in addition to a lamp in front and so placed as to throw the light backwards; a bicycle or tricycle is a vehicle for the purpose of this rule.

II. No person suffering from a contagious or infectious disease, shall drive or be in charge of any cart or other vehicle or be in any public place.

III. Every driver or person in charge of any cart shall drive or keep such cart on the extreme left of the road in the direction in which he is going and in a line with and to the rear of any cart or carts proceeding in the same direction.

IV. When loading or unloading a cart or lorry or other vehicle in a street the person in charge of such cart or lorry or other vehicle shall rest it parallel with the foot path and immediately on the edge of the carriage way or if there is no foot path then parallel with and on the extreme edge of the street.

V. For the purpose of this rule the word "Vehicle" shall include any motor car, motor cycle, trolley, carriage, cart, lorry, buggy, ricksha, wheelbarrow, hand barrow, hand cart, or cycle but shall not include a perambulator.

No person shall lead, ride or drive any horse, or mule, donkey or ox or allow any such animal to remain on any pathway, public place or thoroughfare that shall have been reserved by His Majesty's Commissioner for the use of foot passengers only and no person shall drive or propel any vehicle or allow any such vehicle to remain on any pathway, public place or thoroughfare so reserved.

Any person who shall be guilty of an offence against this rule shall for each offence be liable to a fine not exceeding Rs. 75 or in default to imprisonment of either kind not exceeding 14 days.

VI. The driver or person in charge of any lorry or other vehicle shall not drive or propel such vehicle over any stone drain except over a proper bridge or culvert.

VII. The driver or person in charge of any vehicle in respect of which any of the terms of the above rules Nos. I to VI inclusive are not complied with or in respect of which any offence is committed against any of the said rules shall on conviction be liable for each offence

to a fine not exceeding Rs. 100 or in default imprisonment of either kind not exceeding one month in addition to any damages at the suit of any party aggrieved that may be awarded by a Court of competent jurisdiction against the owner of such vehicle or the driver or person in charge of the same,

VIII. The owner or occupier of any town plot or premises who shall require to drive or propel any vehicle over any stone drain for the purpose of obtaining access for such vehicle to the said plot or premises shall construct across the said drain opposite to the entrance of the said plot or premises a good and sufficient bridge of planks or other material suitable in the opinion of the Township Committee for the said purpose in such a manner as to protect the said drain from damage and so as to avoid obstructing the proper flow of water in the same. Any person who shall be guilty of contravening or not complying with any of the terms of this rule shall upon summary conviction in any Court of competent jurisdiction be liable to a fine not exceeding Rs. 100 or in default imprisonment of either kind not exceeding one month.

IX. The driver or person in charge of any animal or animals or of any lorry or other vehicle shall not permit such animal, animals, lorry, or other vehicle to collide with or damage any drain, culvert, bridge, fence, gate, lamp-post or any other property of the Government or Township Committee and in every case where any such damages shall have been done or any such collision shall have occurred the driver or person in charge of the animal, animals or vehicle shall be deemed to have committed a breach of this rule and the owner of the animal, animals or vehicle by which any such damage as aforesaid shall have been done shall pay to the Township the amount of the damage; and the driver or person in charge shall be liable to a fine not exceeding Rs. 40 for each offence or in default imprisonment of either kind not exceeding one month.

- X. 1. No person shall perform ablutions or wash any clothes, cooking utensils or any other article at any public hydrant or stand pipe.
 2. No person shall wash any article of clothing in or on the banks of any river, pool, quarry, watercourse or irrigation trench except at a place or places authorised by the Committee for the purpose.
 3. No person shall bathe in any river, pool, quarry, watercourse or irrigation trench within the Township area except at a place or places authorised for the purpose by the Committee on a certificate of approval being previously received from the Medical Officer of Health.
 3. Any person guilty of an offence against the provisions of any sub-section of this rule shall be liable to a fine not exceeding Rs. 30 for each offence or in default imprisonment of either kind not exceeding two weeks.

XI. Rules I, II, III, IV, V, VI, IX, X, are cognizable by the Police, and VII and VIII are summons cases.

XII. Rules 157 and 175 of Township Rules 1904 shall from the publication of these rules cease to be applied to the Township of Nairobi.

XIII. These rules shall apply to the Township of Nairobi.

J. HAYES SADLER
 His Majesty's Commissioner.

PROCLAMATION

The Diseases of Animals Ordinance, 1906.

In pursuance of the powers conferred upon me by Section 2 of the Diseases of Animals Ordinance 1906 I hereby declare that "rabbits" shall be included in the definition of the word "animals" in the aforesaid Ordinance and for the purposes of that Ordinance.

Nairobi,
 Dated this 14th day of October, 1906.

J. HAYES SADLER
 His Majesty's Commissioner.

PROCLAMATION.

Under the East Africa Game Ordinance 1906.

WHEREAS power is conferred upon me by Section 5 of the East Africa Game Ordinance 1906 to declare that the name of any species of animals mentioned as included in one Schedule shall be transferred to another Schedule.

Now therefore in pursuance of the said power I, Lieut.-Colonel James Hayes Sadler, C.B., His Majesty's Commissioner for the East Africa Protectorate, do hereby declare that the "ostrich" mentioned in third Schedule of the said Ordinance shall be transferred from the said third Schedule to the first Schedule for the said Ordinance.

And I hereby apply this Proclamation to the whole of the Protectorate.

Mombasa,
 Dated this 31st day of October, 1906.

J HAYES SADLER
 His Majesty's Commissioner.

NOTICE.

Rules issued by His Excellency the Commissioner under the Native Passes Regulations 1900.

Mombasa,

Dated this 6th day of November 1906.

J. HAYES SADLER
His Majesty's Commissioner.

Rules to control the movements of Nandi.

1. No Nandi shall proceed out of the Reserve in which he is located unless he shall first have obtained a pass under these rules from a Collector or Assistant Collector.
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 Collector or Assistant Collector may refuse to grant a pass to any Nandi without assigning any reason for such refusal.
4. Any Nandi being outside the Nandi Reserve shall on demand being made by any Government Officer or Police officer produce his pass.
5. Any Nandi failing to produce his pass when called upon to do so or being found outside the Nandi Reserve without a pass, may be arrested by a Police Officer or other authorised person without a warrant and shall be liable on conviction to imprisonment of either description for a period not exceeding 3 months and in the case of a second or subsequent offence to imprisonment with hard labour for a period not exceeding 6 months.

SCHEDULE.

EAST AERICA PROTECTORATE.

Nandi Reserve Pass.

KISUMU PROVINCE.

Station.....
 Traveller's name and residence.....

 Destination.....
 Date of issue.....
 Date of expiry.....

Collector.

EAST AFRICA PROTECTORATE.

Nandi Reserve Pass.

KISUMU PROVINCE.

Station.....
 Traveller's name and residence.....

 Destination.....
 Date of issue.....
 Date of expiry.....

Collector.

PROCLAMATION.

Under the Diseases of Animals Ordinance 1906.

In pursuance of the powers conferred upon me by Section 6 of the Diseases of Animals Ordinance 1906 I hereby prohibit the importation into the East Africa Protectorate of donkeys from German East Africa except such donkeys as shall be introduced for transport purposes in accordance with the conditions following:—

1. No donkey infected with glanders shall be introduced into the Protectorate.
2. All donkeys intended for use for the purposes of transport shall be brought on the 5th day of January 1907 from Taveta under Police supervision to Voi to be there tested with Mallein.

The charge for testing with Mallein will be Rs. 5/- per head.

3. Any donkey found to be free from Glanders will be branded with a distinctive mark.
4. Any donkey found to be infected with Glanders will be destroyed and no compensation will be paid in respect of the same.
5. Only such donkeys as shall have been tested and branded shall be used for transport purposes between German East Africa and British East Africa.
6. Donkeys which have been tested and branded under these conditions shall be used only on the Voi, Taveta and Moschi route.

So much of the Proclamation dated July 31st 1906 under the aforesaid Ordinance as prohibits the introduction into the East Africa Protectorate of donkeys from German East Africa is hereby cancelled.

Mombasa,
Dated this 30th day of November, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULES.

Under the "East Africa Liquor Ordinance 1902."

1. No license for the sale of distilled or alcoholic liquors in the Protectorate shall be issued for a longer period than 6 months or shall authorise the sale of distilled or alcoholic liquors in the Protectorate after the 30th day of June 1907.

2. A Sub-Commissioner may grant a "Club Liquor License" to the Manager or Steward of a *bona fide* club.

3. A club liquor license shall authorise the sale and supply of liquor in any quantity to the members of the club at any time for consumption on the premises; provided that no place of accommodation, entertainment or refreshment shall be considered a club where other than members or the invited guests of members are allowed entry or accommodation or where other than members are charged or permitted to pay for any refreshment or accommodation they may obtain therein.

4. A fee at the rate of Rs. 400 a year shall be levied in respect of a "Club Liquor License" and shall be paid prior to the issue thereof.

Mombasa,
Dated this 19th day of November, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

RULE.

Rule made by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the "East Africa Township Ordinance 1903."

Mombasa,
November 30th, 1906

J. HAYES SADLER
His Majesty's Commissioner.

Lamu Township Fees.

The following fee shall be chargeable in the Township of Lamu.

Royalty on Lime for 16 Ngomas 2 annas

So much of the Township Rules of October 13th 1900 as prescribes a royalty on lime is hereby cancelled.

RULES.

Issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the East Africa Township Ordinance 1903.

Mombasa,
Dated this 27th day of November, 1906.

J. HAYES SADLER
His Majesty's Commissioner.

1. Every person who, within the limits of the township shall, wantonly discharge any firearm to the annoyance or danger of the residents or other persons within the township shall be guilty of an offence.

2. Rule 187 of the Township Rules 1904 is hereby repealed and these rules are hereby applied to every township.

J. HAYES SADLER
His Majesty's Commissioner.

RULES.

Issued by His Majesty's Commissioner for the East Africa Protectorate under the Township Ordinances 1903 and 1906.

Mombasa,

Dated this 28th day of November, 1906.

J. HAYES SADLER

His Majesty's Commissioner.

1. In these rules the term "Collector" shall include the Collector, town clerk or other person to whom the notice required by rule 24 of the Township Rules 1904 is to be given.

2. Any person who shall erect or begin to erect any building or shall execute any such work as is described in Rule 24 of the Township Rules 1904 before he has given notice of his intention to erect such building or to execute such work as prescribed by the said rules relating to buildings or before the Collector has either intimated his approval of such building or work or has failed to intimate his disapproval thereof within the stipulated time, or after the Collector has disapproved any such building or work, shall be guilty of an offence and shall be liable to a fine not exceeding Rs. 200/-, and in any such case as aforesaid, whether proceedings have been taken against the person offending or not, the Collector may serve either upon the person causing the building to be erected or the work to be executed or upon the person who has erected the building or executed the work a notice in writing requiring such person to remove or demolish such building or work within a time to be stipulated by such notice.

3. Any person who, having obtained the approval of the Collector for any proposed building or work, shall erect such building or execute such work otherwise than in accordance with the plans, drawings, description or terms approved or prescribed by the Collector shall be guilty of an offence and shall be liable to a fine not exceeding Rs. 200/-; and in any such case as aforesaid, whether proceedings have been taken against the person offending or not, the Collector may serve either upon the person causing the building to be erected or the work to be executed or upon the person who has erected the building or executed the work a notice in writing requiring such person to remove or demolish such building or any part of such building or work within a time to be stipulated by such notice.

4. Any person who shall fail to comply with the requisition of any notice served under these rules or under any of the rules issued under the Township Ordinance 1903 within the time specified by such notice, shall be guilty of an offence and shall be liable to a fine not exceeding Rs. 15/- for every day in which he shall be in default.

5. Whenever any person shall fail to comply with any notice served under any of the rules issued under the Township Ordinance 1903, the Collector may cause the work or think required by such notice to be done, and may recover before a Magistrate from the person in default the expenses incurred thereby.

6. These rules may be cited as the "Township Rules 1906" and shall apply to all Townships to which the rules mentioned in rule 2 hereof have been or shall hereafter be applied.

J. HAYES SADLER

His Majesty's Commissioner.

NOTICE.

Mombasa Kilindini Tramways.

The Mombasa Kilindini Tram Line having been taken over by the Government the following rules are published for general information and will come into force from 1st December next.

1. The fee for running any passenger trolley over the line shall be Rs. 10 per mensem. Anyone having paid this fee is entitled to carry passengers, or to land his trolley without any further charge being incurred either by himself or by the person or persons using the trolley. There are no exceptions to this rule, the privilege hitherto granted to certain officials of running passenger trollies over the line free of charge and to certain other officials at reduced rates having been withdrawn. Nothing in this is to be interpreted as meaning that a private trolley may ply for hire, or that the owner may receive remuneration for the use of his trolley.

2. The charge for a goods trolley shall be Rs. 25 per mensem.

3. A number shall be assigned to every trolley and this number shall be painted in a conspicuous place on the trolley.

Public Trolley Service.

The supply of Public trolleys is at present so small that it is impossible to guarantee a regular service. More trolleys have however been ordered and a regular service will be instituted as soon as possible, meantime the following rules must be observed with regard to such public trolleys as are running.

1. No one is entitled to travel in a public trolley without having first obtained a ticket which ticket he must produce when called on to do so by any ticket Collector.

2. Tickets can be obtained from the Clerks at the Mombasa and Kilindini termini between the hours of 8 a.m. and 6 p.m.

3. Special trollies required outside these hours must be ordered during these official hours.

4. Except in the case of a trolley specially hired only such light baggage as the intending passenger may himself be carrying will be allowed on a public trolley free of charge and in any case this may not exceed 28 lbs. Luggage exceeding this weight will be charged for at passenger rates provided that no luggage may be taken on a trolley to the inconvenience of other passengers and no single package exceeding 56 lbs. weight may be carried on a passenger trolley.

No additional charge will be made in respect of personal luggage carried on a special trolley, provided that in no case may more than 112 lbs. weight of luggage be loaded on the trolley.

5. No public trolley may be detained unless specially hired.

6. The following are the fares on public trolleys:—

Between G. P. O. Mombasa and Kilindini	...	4 as.
„ Kilindini and G. P. O. Mombasa	...	4 as.
„ G. P. O. and Point (Light House)	...	2 as.
„ Point and General Post Office	...	2 as.
„ Mombasa and Sport Club	...	3 as.
„ Sport Club and Mombasa or Point	...	3 as.
„ Mombasa or Point and R.C. Church	...	2 as.
„ R.C. Church and Mombasa or Point	...	2 as.
„ G. P. O. and Station or Bank	...	2 as.
„ Station or Bank and Mombasa	...	2 as.

7. The following are the rates for specially hired trolleys:—

From 6 a.m. to 6 p.m.

Single trip	...	Rs. 1 0 0
Double „	...	„ 1 8 0

Or by time Rs. 1-8-0 for the first hour and 8 as. for every hour or part of an hour afterwards.

From 6 p.m. to 6 a.m.

Double the above rates. Provided that if there is only 1 passenger he can travel at day-light rates.

C. R. W. LANE

H. M. Sub-Commissioner.

Approved

J. HAYES SADLER

His Majesty's Commissioner.

21st November, 1906.