

EAST AFRICA PROTECTORATE.

ORDINANCES AND REGULATIONS.

VOL. IX.

January 1st to December 31st, 1907.

PRINTED BY
—WATERLOW & SONS LIMITED, LONDON WALL, LONDON.—
1908.

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EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by the Acting Commissioner for the East Africa Protectorate.

Mombasa.

Dated this 2nd day of January, 1907.

F. J. JACKSON,
Acting Commissioner.

No. 1 OF 1907.

1-12 04/24

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 following extent:—

(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 (2) there shall be omitted the words "or into."

3. The "Diseases of Animals Amendment Ordinance No. 12 of 1906" is hereby repealed.

F. J. JACKSON,
Acting Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by the Acting Commissioner for the East Africa Protectorate.

Nairobi,

Dated this 21st day of March, 1907.

F. J. JACKSON,
Acting Commissioner.

No. 2 OF 1907.

MINING ORDINANCE.

IT is hereby enacted as follows:—

1. This Ordinance may be cited as "The Mining Regulations Amendment Ordinance 1907" and shall be read as one with "The East Africa Mining Regulations 1902" hereinafter referred to as the Principal Regulations. Short title.

2. In the interpretation of this Ordinance and of the Principal Regulations unless repugnant to the context the following words and expressions shall have the meaning following:— Definitions.

"Mineral" shall not include such clay, sand or stone as the Commissioner of Mines shall declare to be suitable only for road making, building, the making of pottery and similar purposes or from which no other mineral of such quality and in such quantity as to be of commercial value can be obtained.

"Mining Regulations" shall mean all Regulations, Ordinances, Rules or Proclamations relating to Mines or Minerals in the Protectorate.

"European" shall mean a person of European birth or descent.

3. The sections of the Principal Ordinance mentioned in the First Schedule to this Ordinance to the extent to which the same are expressed to be repealed, shall be and are repealed. Repeals. But no such repeal shall affect anything duly done or any right or privilege acquired or any penalty or forfeiture incurred in respect of such sections: Provided that any prospecting licence renewed after the publication of this Ordinance shall be subject to any Mining Regulations in force at the time of such renewal.

Prospecting licence to be issued to an European only.

4.—(1) The Commissioner of Mines or other prescribed Officer may issue a prospector's licence to any European authorising him to prospect and search for Minerals subject to the provisions of the Mining Regulations for the time being in force.

Prospecting licence not to be issued for a period exceeding six months, but may be renewed.

(2) A prospector's licence shall not be granted for a period exceeding six months, but may at the discretion of the Commissioner of Mines or other prescribed Officer be renewed for a further period not exceeding six months.

Application for licence to be made in person.

5. A prospector's licence shall only be granted on personal application and in case of renewal, on personal or written application, and upon payment in advance of a sum of Rs. 5/-.

Licence Fee.
Form of licence.

6. A prospector's licence shall be in the forms set forth in the Second Schedule of this Ordinance, and shall give the holder, for the period therein mentioned, the right to prospect or search for Minerals on Crown Lands to which the Principal regulations apply and, subject to the provisions of the succeeding section, on the land of a land-owner throughout the Protectorate, and no one shall be allowed to prospect or search for Minerals on such lands without obtaining such licence.

Persons prospecting on private land without the consent of land-owners to make a deposit.

7—(1) A prospector's licence shall not authorise the holder to prospect or search for Minerals on the land of any land-owner without the consent of such land-owner, unless the holder shall have deposited in respect of such licence with the Commissioner of Mines or other prescribed Officer the sum of Rs. 375.

(2) The fact that such deposit has been made shall be endorsed on the licence by the Commissioner of Mines or other officer receiving the same.

(3) A deposit made in respect of one licence shall not authorise the person making the same to prospect on the land of any land-owner without his consent under a fresh or renewal licence unless the Commissioner of Mines or other officer issuing such fresh or renewal licence shall agree to accept and continue to hold such deposit in respect of such fresh or renewal licence.

Commissioner of Mines to retain deposit until after the expiration, etc., of licence.

8. The Commissioner of Mines or other prescribed Officer shall hold, subject to the provisions of this Ordinance, any deposit made under the provisions of the preceding section until one month after the licence of the prospector by whom such deposit shall have been made shall have expired or been cancelled or shall have been surrendered by the licensee.

Power to deduct from deposit sums due to land-owner.

9. The Commissioner of Mines or other prescribed Officer may at any time deduct from any such deposit any sum which he shall have certified to be due under this Ordinance from the person making such deposit to any land-owner.

Minerals discovered under a prospecting licence not the property of the discoverer.

10. A prospecting licence shall not authorise the retention, sale or other disposal of any Mineral discovered thereunder.

Notice to be given to land-owner.

11. Every licensed prospector entering on the land of any land-owner for the purpose of prospecting shall at once notify to such owner, in writing, the date on which the said prospector entered upon the land.

Prospector's right to water, wood, etc.

12. Any licensed prospector *bonâ fide* prospecting or searching for Minerals shall have the right of grazing for 6 horses or mules, or for 16 oxen, and of taking wood and water for his domestic use, free of charge on Crown Lands, and if on any other lands on payment to the owner or occupier of the land on which he is so prospecting or searching for Minerals of 8 annas per diem. Provided, however, that the prospector shall only exercise the right conferred upon him by this section at the place or places indicated by the Collector of the district or the owner, or occupier as the case may be.

Disputes as to these rights to be determined by Commissioner of Mines.

13. If any question shall arise between the owner or occupier and the prospector as to this respective right, or as to the suitability of land indicated by the owner or occupier, it shall be determined by the Commissioner of Mines or other prescribed Officer.

Payments to be made to land-owner.

14. Every licensed prospector prospecting on the land of any land-owner shall at the end of every fortnight, pay to the owner, trustee, lessee, or occupier of such land, the amount of 1 rupee per diem for the number of days during which he has been present on the land or shall have held a prospecting area on such land.

15.—(1) Should any owner of land represent to the Commissioner of Mines, or other prescribed Officer, that the amount lawfully due to him under the provisions of this Ordinance from any prospector prospecting his land has not been paid and has remained overdue for the space of seven days, the Commissioner of Mines may, after due inquiry into the facts of the case, and after satisfying himself that the sum of money is due and unpaid, declare the licence granted to the said prospector cancelled, and may pay to such land-owner out of the money deposited under section 7 of this Ordinance such sum as he may find to be due to the land-owner.

Proceedings in case of prospector failing to pay amount due to land-owner.

(2) Should any question arise between a land-owner and a prospector as to whether any money is due under this Ordinance to the land-owner from the prospector or as to the amount of money so due, it shall be determined by the Commissioner of Mines or other prescribed Officer.

(3) In any legal proceedings a certificate signed by the Commissioner of Mines or other prescribed Officer certifying that a sum of money is due and owing to a land-owner from a prospector shall be conclusive evidence that such sum is due and owing.

16. A prospector who may abandon his prospecting area shall fill up, or fence or secure to the satisfaction of the Commissioner of Mines or other prescribed Officer all shafts, pits, holes and excavations, in a manner so as to prevent persons or cattle inadvertently entering the same.

Prospector to fill up shafts, etc.

Any prospector who shall have failed to comply with the provisions of this section shall not be permitted to register a new prospecting area, or to obtain a fresh or renewal licence, and shall further, if the prospecting area shall have been on the land of any land-owner who shall not have released him from the obligations imposed by this section, pay to such land-owner such sum as the Commissioner of Mines or other prescribed Officer shall on the application of such land-owner certify to be necessary to repair the damage done on such prospecting area.

17. A prospecting area shall be held to be abandoned in any one of the following cases:—

A prospecting area when abandoned.

(1) If the prospector shall have abandoned the area in accordance with the provisions of the Mining Regulations.

(2) If the prospector's licence shall have been cancelled or forfeited.

(3) If the prospector's licence shall have expired and a fresh or renewal licence shall not have been granted.

(4) If the prospector shall prospect or search for Minerals outside such prospecting area or shall have more than one prospecting area pegged out.

18. Section 16 of this Ordinance shall not apply to any licensed prospector prospecting under an agreement with a land-owner on the land of such land-holder.

Certain conditions imposed on prospector by this Ordinance not to apply to prospector prospecting under agreement with land-owner.

19. Every licensed prospector shall be bound and obliged in respect of any prospecting area pegged out by him, to prospect therein *bonâ fide* to the satisfaction of the Commissioner of Mines, and, if he shall fail to do so, it shall be lawful for the Commissioner of Mines to cancel such licence as far as such area is concerned and thereupon such holder shall cease to possess any rights within such area and shall not again be permitted to prospect within such area for a period of six months.

Prospector to prospect *bonâ fide* and to the satisfaction of Commissioner of Mines.

20. All disputes between prospectors as to the ownership of any prospecting area or as to the boundaries of their respective claims shall be dealt with and decided by the Commissioner of Mines or other prescribed Officer.

Disputes between prospectors to be decided by Commissioner of Mines or other officer.

21. It shall be lawful for the Commissioner of Mines or other prescribed Officer to call upon the owner of any prospecting area on any public field to relinquish his prospecting rights over such prospecting area and to take out a digger's licence. Such owner shall be entitled to mark off his digger's claims upon the site of his prospecting area.

Commissioner of Mines may require surrender of prospecting area on a public field.

Commissioner may take steps to test payability and extent of place where minerals are discovered.

22. The Commissioner may at any time after the lodging with the Collector of the declaration referred to in section 11 of the Principal Regulations, and shall prior to proclaiming any place a mining centre or public field, take such steps as he may deem fit for the purpose of testing the character and payable qualities of the minerals and the extent of the place at which they have been found, and for this purpose may appoint such duly qualified person on such salary or allowance as he may think fit, and may authorise the expenditure of such sums of money as may be deemed necessary for the purpose of such testing.

PART II.

PUBLIC FIELDS.

Pegging of after reading of Proclamation.

23. No area which shall have been proclaimed a mining centre or public field shall be available for pegging off claims other than the the discoverer's and land-owner's claims until the Proclamation proclaiming the same shall have been read by the Commissioner of Mines or other prescribed Officer on the ground proclaimed and on the day of which notice shall have been given in the Gazette at least two weeks prior thereto.

Who may peg out claims.

24. After reading of such Proclamation as aforesaid it shall be lawful for any person who shall have taken out a digger's licence or licences to peg off the claim or claims to which he is entitled on the public field not previously occupied under the provisions of the Mining Regulations whether as a prospector's area or otherwise.

Times during which pegging off prohibited.

25. No such pegging off as aforesaid shall be done between sunset and sunrise. Pegging off at such prohibited times shall be considered illegal and shall give no right whatever.

Who may demand a licence.

26. No person other than a male over eighteen years of age and of European birth and descent may demand as a right a digger's licence, anything in Section 21 of the Principal Regulations to the contrary notwithstanding.

Claims to be registered.

27. Any person pegging out a claim in a public field shall forthwith take out a certificate of registration in the form contained in the Third Schedule hereto; Provided that no firm or joint stock Company shall be entitled to be registered as holding claims except in the name or names of not more than two persons resident in the Protectorate being the duly accredited agent or agents of such firm or joint stock Company, and such agent or agents shall be responsible for all matters connected with the claim for which he or they shall have been so registered exactly as if such claim or claims were registered in his or their own name or names as his or their own property.

If not registered to be forfeited.

28. Any person pegging out a claim in any public field who shall fail to take out a certificate of registration of the said claim within a period of six days shall be deemed to have abandoned the same, and the Inspector shall thereupon declare the same to be abandoned.

Transfer of claims.

29. Claims may be transferred from one licence holder to another, subject to such Regulations as may be in force. Such transfer may be made according to the form in Schedule (D) to the Principal Regulations and the price of transfer must be declared by the transferor and the transferee; but no transfer of any claim shall be recognised until it has been duly registered by the Commissioner of Mines, or other prescribed Officer; and such registration is to take place only on payment of a transfer fee of 10 rupees per claim, provided that the transfer of any claim shall carry with it the transfer of the licence, and that the transferee shall continue to pay in advance monthly the 20 rupees payable on such licence. In cases of parts of claims transferred, the licence payable to be apportioned and included in a new licence to be granted for the sub-division, each such transaction to be indorsed on the transferor's licence.

When licence for abandoned claims may be refused.

30. It shall be lawful for the Commissioner of Mines or other prescribed Officer to refuse to issue a licence for any abandoned claim after notice has been given him of the holder's intention to abandon it, when he suspects that the abandonment has taken place in order to evade the payment of transfer dues. He may, before giving out any such claim, first institute an inquiry, and he shall be entitled to refuse to give out such claim and to cause it to be sold by public auction for the benefit of the Protectorate Treasury.

31. Whenever it shall be proved to the satisfaction of the Inspector that any prospector's or digger's alluvial claim has remained unworked for a period of fourteen days, exclusive of Sundays and public holidays, or that a prospector's or digger's quartz-reef claim shall have remained unworked for a period of four months it shall be lawful for him to declare such claim abandoned; provided that the claim holder shall not have obtained a certificate of protection as provided in the next succeeding section, and provided that when claims have been amalgamated it shall be sufficient for the purpose of this section if work has been done on any one of such claims. Forfeiture of claims not worked.
32. Every claim holder may apply to the Inspector for a certificate of protection on the ground of sickness, unavoidable absence, or other sufficient cause, which certificate shall not be issued for a period of more than sixty days during which period the claim or claims shall not be liable to forfeiture under the next preceding section: Provided that if any such certificate be obtained by false representation it shall afford no protection under this section, and shall forthwith upon the discovery of such false representation be declared to be cancelled by the Inspector. Certificate of protection exempting claims from operation of last preceding Section.
33. All gold, silver or precious stones found or extracted within the limits of any Public field shall be registered at the office of the Inspector not later than the second day of the month following that in which such gold may be found or extracted and any person who shall contravene this section shall be liable to a fine not exceeding 150 rupees. Minerals found within public field to be registered.
34. The Commissioner may from time to time fix the royalty which shall be paid on any gold, silver or precious stones found or extracted within the limits of any Public field. Commissioner may fix the royalty to be paid in respect of minerals found on public field.
35. All disputes between claim holders on any Public field as to ownership of any claim, or as to the boundaries of their respective claims, shall be dealt with and decided by the Inspector of the field and two assessors to be nominated by the said Inspector and for this purpose the Inspector and assessors aforesaid shall and may examine witnesses on oath and take down their evidence in writing and shall do all things which they may deem necessary in order to arrive at a proper decision in the case. And the Inspector shall have authority to summon all defendants and witnesses to appear before him, and in default of their appearing he may issue warrants for their being brought before him, and for non-attendance he may fine them any sum not exceeding 75 rupees. How disputes between claim holders to be settled.
36. The service of any summons on any defendant or witness in any case to be heard and decided as aforesaid shall be performed by any person appointed for that purpose by the Inspector and the said person shall also have authority to execute the warrant mentioned in the last preceding section. Service of summons on defendant and witness.
37. At every mining centre or public field the Commissioner may appoint such Inspectors, Registrars or other officials as may be deemed requisite, whose duties and authorities shall be fixed from time to time by the Commissioner of Mines. Appointment of Inspector, etc., on Public field.
38. The Inspector or other officer duly appointed in that behalf is hereby empowered to ask, demand, sue for, recover and receive all licence moneys, royalties, rents, transfer or other fees in respect of any claim and to declare abandoned any claim in respect whereof any such licence moneys shall be in arrear for a space of thirty days. Power of Inspector, etc., to demand and sue for licence moneys, etc.

PART III.

GENERAL PROVISIONS.

39. There shall be exempt from the operations of the Mining Regulations all lands within 100 feet of the centre line of the Uganda Railway and all other lands reserved for the purposes of the Uganda Railway. Exemption from the provisions of Mining Regulations.
 Provided that land shall not be deemed to be reserved for the purposes of the Uganda Railway by reason only of the Notification No. 6 of 1897.
40. No licence issued under the Mining Regulations shall authorise the holder to enter any closed district. Licence under the Mining Regulations not to authorise entering into closed district.

Provision
regarding
Mineral Oil.

41. In the event of the discovery of any Mineral oil or oils in the Protectorate it shall be lawful for the Commissioner to declare that such oil is required for the purposes of the Imperial Government and thereupon any right of any person under the Mining Regulations in the area in which such oil shall have been discovered shall expire.

Dealing in
uncut diamonds
restricted.

42. Sections 53, 54, 55, 56, 57 of the Principal Regulations shall be read as if after the words "Native Gold" in those sections there were inserted the words "or uncut diamond or diamonds."

F. J. JACKSON,
Acting Commissioner.

FIRST SCHEDULE.

Section.	Extent of Repeal.
Section 2	The definition of the word "European."
Section 6	The whole.
Section 7	The whole.
Section 8	The whole.
Section 9	The whole.
Section 18	The whole.
Section 19	The whole.
Section 23	The whole.
Schedule A	The whole.
Schedule B	The whole.

SECOND SCHEDULE.

Prospecting Licence is hereby granted to A.B. to prospect and search for gold, silver, precious stones, ores, metals, coal and other minerals, subject to the provisions of the Mining Regulations, throughout the East Africa Protectorate during the period from
to for which licence he has paid in advance the sum of five rupees.

Signed

Commissioner of Mines
(or other officer, as the case may be).

THIRD SCHEDULE.

CERTIFICATE OF REGISTRATION.

This is to certify that _____ of _____
is the registered holder of the alluvial (or quartz-reef as the case may be) claim No. _____
and that the licence money for the same has been paid in advance up to the

Office of the Registrar of Claims.

Registrar.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by the Acting Commissioner for the East Africa Protectorate.

Mombasa,
Dated this 2nd day of May, 1907.

F. J. JACKSON,
Acting Commissioner.

NO. 8 OF 1907.

NATIVE VESSELS.

IT is hereby enacted as follows :—

1. This Ordinance may be cited as the Native Vessels Ordinance 1907, Short title. and shall come into force on the first day of October 1907.

2. In this Ordinance—

Definitions.

The term "Native Vessel" applies to any vessel fulfilling one of the two following conditions :—

- (a) It shall present the outward appearance of native build or rig.
(b) It shall be manned by a crew of whom the Captain and the majority of the seamen belong to one of the countries on the coast of the Indian Ocean, the Red Sea, or the Persian Gulf.

But it shall not apply to vessels only partially decked or open boats having at most a crew of ten men exclusively used for fishing within the territorial waters of the East Africa Protectorate.

The term "Port Officer" shall include the holder of the office of Port Officer at any port in the East Africa Protectorate and a person lawfully exercising for the time being the power and authorities of that officer at any such port.

The term "Native" means any native of Africa not of European or American origin.

3. No native vessel shall leave any port or harbour of the East Africa Protectorate unless such vessel shall be authorized to fly the flag of one of the Signatory Powers of the Brussels Act or shall be licensed under section 19 of the Ordinance.

All native vessels required to fly a flag.

4. The owner, fitter-out and Captain of any native vessel which flies a British flag shall be guilty of an offence, unless such vessel shall be authorized to fly such flag by virtue of this Ordinance or of some Ordinance, Proclamation, law or order made by a competent British authority in some other country, Protectorate, or place.

Prohibition against flying the British flag without authority.

5. Every native vessel of which either the owner or fitter-out is a British subject or British protected person being a native of or resident in the East Africa Protectorate shall, upon payment of the fees prescribed in the Schedule hereto, be registered by the Port Officer at one of the ports of the East Africa Protectorate and every such native vessel shall thereafter be re-registered on the first day of October in each year.

Every native vessel owned or fitted out in the Protectorate to be registered.

6.—(1) A licence to fly the British flag shall be granted by the Port Officer registering or re-registering a native vessel provided that the owners or fitters-out of such vessel can satisfy such Port Officer that :—

Authority to fly the British flag.

- (a) The owner or the fitter-out of the vessel possesses real estate situated in the East Africa Protectorate, or can supply solvent security as a guarantee of the payment of the fines which might be incurred ; and
(b) Such owner or fitter-out, as well as the Captain of the vessel, enjoys a good reputation, and that in particular they have never been condemned for acts of Slave Trade.

(2) For the purposes of the preceding sub-section the "British flag" shall mean the Red Ensign with the British East Africa Protectorate badge, and such flag shall be supplied by the Port Officer to the person entitled thereto on payment of the sum prescribed in the Schedule hereto.

Saving in respect of small boats.

7. Sections 3 and 6 of this Ordinance shall not apply to an open boat or partially decked vessel, having at most a crew of ten men and occupied in the small coasting trade between the ports of the East Africa Protectorate or in plying in or about the harbours, rivers or creeks of the Protectorate and which never goes further than five miles from the coast.

Period of licence to fly the British flag.

8.—(1) The licence granted under section 6 shall remain in force until the first day of October next after such licence shall have been granted and shall thereafter be renewed, subject to the provisions of that section upon the re-registration of the vessel but every such renewed licence shall expire on the 30th day of September next after such renewed licence shall have been granted; provided that a Port Officer may at any time suspend or cancel the licence.

(2) The licence shall have the indications necessary to establish the identity of the vessel and shall be kept in the custody of the Captain of the vessel.

The licence to expire on a change in the ownership of the vessel unless transferred under this section.

9. In the event of any change in the ownership of a native vessel licensed to fly the British flag under this Ordinance, the licence granted under sections 6 and 8 shall be deemed to be cancelled unless such licence shall have been transferred under the provisions of this section.

Change of ownership to be notified.

(1) In the event of any change in the ownership of any such vessel during the currency of such licence notice of such change in the ownership shall be immediately notified to a Port Officer.

When licence may be transferred.

(2) Should the ownership in such a vessel be transferred to a British subject or British protected person being a native of or resident in the East Africa Protectorate and possessing the qualifications required by section 6 or, in cases where such vessel has been licensed to fly the British flag by reason of the qualifications of the fitter-out, should the fitter-out continue to possess the qualifications required by section 6, a Port Officer shall transfer such licence to the new owner upon payment by him of the fee prescribed in the Schedule hereto by substituting the name of new owner for the name of the owner set out in such licence.

When vessel must fly a flag.

10.—(1) Every native vessel authorized to fly the British flag by virtue of this Ordinance shall fly the British flag as defined in section 6 sub-section 2 of this Ordinance on arrival in, and on departure from, as well as throughout the whole of the stay of the vessel in harbour, and when at sea, such flag shall be hoisted immediately on the approach of a man-of-war or of its boats.

(2) Every native vessel authorized to fly the British flag by virtue of any Ordinance, Proclamation, law or order made by a competent British authority in any other country, Protectorate or place shall fly the British flag on arrival in, and on departure from, as well as throughout the whole of the stay of the vessel in any port or harbour of the East Africa Protectorate.

(3) Every native vessel duly authorized to fly the flag of any of the Signatory powers of the Brussels Act shall fly the flag of the Power by whom such authority shall have been granted on arrival in, and on departure from, as well as throughout the whole of the stay of the vessel in any port or harbour of the East Africa Protectorate.

The registered number to be painted on the stern, and printed on the sails of vessels registered in the Protectorate.

11. The registered number and tonnage of a native vessel registered in the East Africa Protectorate shall be painted in Latin characters on the stern, and the initial of the port where the vessel is registered as well as the registered number shall be printed in black on the sails.

Crew list to be issued.

12. A crew list shall be issued to the Captain of a native vessel by a Port Officer upon the payment of the fees prescribed in the Schedule hereto; such crew list shall be renewed each time the vessel is fitted out, or whenever there is any change in the crew, or whenever the vessel is registered and in conformity with the following provisions:—

- (a) The list will be visé at the moment of departure by the Port Officer. In the event of the number of persons on the vessel being less than, or in excess of, the number shown on the crew list and passenger manifest a charge of one rupee shall be made for the name of each person which the Port Officer may remove from or add to the crew list or passenger manifest.
- (b) No native can be engaged as a seaman on a vessel without having been previously questioned by the Port Officer with a view to establishing that he has contracted a free engagement.
- (c) The Port Officer will see that the proportion of seamen and boys is not out of proportion to the tonnage and rig of the vessel.
- (d) The crew will be inscribed after due interrogation in the crew list and a short description of each member of the crew will be given against his name.
The Captain of any native vessel who shall put to sea without having complied with the requirements of this section shall be guilty of an offence.
13. No native vessel shall without the authority of a Port Officer embark or disembark passengers, crew or cargo at any place in the Protectorate other than a recognized port of the Protectorate.
14. If the Captain or owner of a native vessel desires to embark passengers he shall make a declaration thereof to the Port Officer. The passengers shall be interrogated and after it has been ascertained that they embark of their own free will they shall be inscribed in a special manifest wherein shall be inscribed the name, sex, height and a general description of each passenger.
Native children shall not be admitted as passengers unless accompanied by their relatives or by persons of known respectability.
Before departure the manifest will be visé by the authority which has issued it, after being duly called over. If there are no passengers the fact shall be notified on the crew list.
The Captain of a native vessel who shall take his vessel out of port with a passenger on board without having complied with the requirements of this section shall be guilty of an offence.
15. On arrival at any port in the Protectorate the Captain of a native vessel shall immediately proceed to the Port Office with all his papers accompanied by any native passengers he may have brought with him who will be there checked whether their ultimate destination be any port in the Protectorate, or not. The Port Officer will correct the passenger manifest if necessary and if the vessel be proceeding further affix a fresh visa. On arrival at any foreign ports the Captain will proceed in conformity with the regulations there in force.
16. On the African coast and adjacent islands, including the dominions of His Highness the Sultan of Zanzibar, no native passenger shall be shipped on board, nor landed from a native vessel, except in localities where there is a resident authority belonging to one of the Signatory Powers of the Brussels Act.
17. Any act or attempted act of Slave Trade legally brought home to the Captain, lifier-out or owner of a vessel licensed to fly the British flag will entail the immediate withdrawal of the licence in addition to any penalties otherwise imposed.
18. The Captain or person in charge of every native vessel arriving at a port in the Protectorate with a number of persons in excess of that given in the crew list or passenger manifest shall unless the presence of those persons can be explained to the satisfaction of the Port Officer, be fined Rupees two for each person so found in excess.
- Restriction on engaging native seamen.
- Proportion of seamen to tonnage and rig.
- Crew to be described in the crew list.
- The Captain to be responsible for the proper observance of the provisions as to crew lists.
- Prohibition against embarking passengers, crew and cargo at places other than recognized ports without the authority of a Port Officer.
- Restriction on shipping native passengers.
- Captain to submit papers on arrival at a port and to conform with the regulations in foreign ports.
- Natives only to be shipped or landed at certain places.
- Licence to be cancelled on conviction of any offence relating to the slave trade.
- Penalties where the number of passengers or crew on a vessel does not accord with the number shown on the passenger manifest or crew list.

The Captain or person in charge of every native vessel arriving at a port in the Protectorate with any person short of the number given in the crew list or passenger manifest, unless the absence of that person can be explained to the satisfaction of the Port Officer, shall be fined Rupees five for each person less than the number given in such list, and the Captain or person in charge and the vessel shall be detained until an explanation is received from the Port Authorities whence the native vessel sailed last.

Provisions for extending a licence in certain cases.

19. All native vessels arriving at any Protectorate port with an expired licence shall be granted an extension of time for the purpose of returning to their ports of registration. Such extension shall be noted on the original licence of all native vessels licensed to fly the British flag or the flag of His Highness the Sultan of Zanzibar, and in the case of native vessels flying the flag of other powers, on a provisional licence. Every native vessel sold or built in one port of the Protectorate sailing for another port to be registered within or without the Protectorate shall be given a provisional licence to enable her to proceed to her port of registration.

Penalty clause.

20. Any person convicted of any breach or contravention of this Ordinance, or of resisting or obstructing any officer in the execution of his duty in relation thereto, shall be liable to a fine which may extend to Rupees one thousand or to imprisonment of either description not exceeding two months or to both fine and imprisonment.

Repeal.

21. The Regulations respecting Native Vessels Flying the British Flag (No. 2 of 1894) are hereby repealed.

SCHEDULE.

TABLE OF FEES.

	Rs.	cts.
For the British flag	4	0
For registration including letters for sail—		
If under 3 tons	4	0
Over 3 and under 10 tons	7	0
Over 10 and under 50 tons	12	0
Over 50 and under 100 tons	17	0
Over 100 tons	27	0
Duplicate licence	5	0
Do. cloth Nos.	2	0
For passengers manifest for 10 persons or fraction of 10	1	0
Renewal of crew list each time for 10 persons or fraction of 10	1	0
Endorsement on expired licence	2	0
Provisional licence	3	0
Transfer of licence	1	0

F. J. JACKSON,
Acting Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by the Acting Commissioner for the East Africa Protectorate.

Mombasa,
Dated this 2nd day of May, 1907.

F. J. JACKSON,
Acting Commissioner.

No. 4 OF 1907.

THE EAST AFRICA PLAGUE AND CHOLERA ORDINANCE 1907.

IT is hereby enacted as follows :—

1. In this Ordinance—

Interpretation.

The term "Ship" includes every vessel or boat, buggalow or other native craft. The term "Master" used in relation to a ship includes the officer or person for the time being in charge or command of the ship, and includes a pilot.

The term "Medical Officer of Health" includes any duly qualified medical practitioner appointed or employed to act in the execution of this Ordinance.

The term "Port Officer" includes any person acting for or on behalf of the Port Officer.

The term "Plague-infected ship" includes any ship with a case of plague on board, or on which there has been a case of plague within seven days.

A "Plague-suspected ship" means any ship on which there has been a case of plague during the voyage or at the time of departure but no fresh case within seven days.

The term "Cholera-infected ship" means any ship with a case of cholera on board, or on which there has been a case of cholera within seven days.

The term "Cholera-suspected ship" means any ship on which there has been a case of cholera during the voyage or at the time of departure but no fresh case within seven days.

A "Plague-healthy ship" means a ship on which there has been no death from nor case of plague either before departure or during the voyage or on arrival notwithstanding that such ship shall have come from an infected port.

A "Cholera-healthy ship" means a ship on which there has been no death from nor case of cholera either before departure or during the voyage or on arrival notwithstanding that such ship shall have come from an infected port.

Provided that any ship to which a person has been transhipped from an infected or suspected ship may by reason thereof be deemed to be infected or suspected as the case may be, the period of seven days being for this purpose reckoned from the date of the last case of plague or cholera on board the ship from which the said person is so transferred.

The term "Sanitary Station" means any place at or near any port of the Protectorate which may hereafter be appointed and prescribed by the Commissioner as a sanitary station for the purpose of this Ordinance.

The term "Crew" means persons forming or having formed part of the crew or staff of the ship and includes stewards, waiters and cafedji.

The term "Observation" means isolation either on board a ship or in a sanitary station.

The term "Surveillance" means that persons are not isolated; they receive, subject to the conditions hereinafter contained, free pratique immediately; but the authorities of the several places whither they are bound are informed of their coming and they are subjected to medical examination with a view to ascertaining their state of health.

Provided free pratique shall only be granted to a person subject to surveillance on the following conditions :—

- (a) He must satisfy the Medical Officer of Health as to his name, and intended place of destination, and his address at such place.
- (b) He must agree to submit himself, and must submit himself to medical supervision at that place during the prescribed period.
- (c) That place must, in the opinion of the Medical Officer of Health, be conveniently situated for medical supervision.

In case of non-compliance with any of these conditions, the Medical Officer of Health may, by an order in writing, forbid the said person to depart from the ship or direct him to return thereto, or to proceed to any convenient place to be specified in the order, and there to remain under medical supervision during the prescribed period; and if any such order of the Medical Officer of Health is not obeyed forthwith it shall be carried into effect by any officer of police as if it were the warrant of a duly authorized Court.

PART I.

ARRIVAL OF SHIPS.

Infected and suspected ships to obtain pratique at certain ports only.

To fly a yellow flag or exhibit specified lights.

No communication allowed with ship without permission.

Medical Officer to board and inspect ship.

2. A plague or cholera-infected or suspected ship, or a ship arriving from an infected port, shall not communicate with any ship nor with any port or place in the Protectorate, except Mombasa, Lamu, Kisimayu or Kisumu unless it has received pratique at one of the four ports aforesaid or at the port of Zanzibar.

3. The Master of any such ship shall, on arrival at a port in the Protectorate, and before entering the harbour, hoist (if by day) a yellow flag and indicate by signal the port from which such ship has come or (if by night) exhibit 2 red lights one above the other at the main. The said flag and signal shall be hoisted and kept hoisted and the light so exhibited and kept exhibited day and night until leave is given to remove them. The said flag and lights in this Ordinance are referred to as the "Plague and Cholera signals."

4. The Master shall bring his ship to anchor in the position indicated by the Port Officer and shall not have any communication (except as hereinafter provided) with any ship or the shore except orally or by signal, except the pilot's, Medical Officer's, Health Officer's or Port Officer's boat. The pilot on going on board shall at once go straight on to the bridge.

5. The Medical Officer of Health, on being informed of the arrival of a ship by the Port Officer, shall as soon as possible visit the ship and make such inquiries and inspection as he thinks necessary for determining whether the ship is an infected or suspected ship, and for this purpose may require a declaration in writing from the ship's Medical Officer (if there is one) or the Captain, or both, with respect to any material facts within their knowledge. If he is satisfied that the ship is either an infected or suspected ship, he shall give a certificate to that effect to the Master and keep a copy thereof himself.

PART II.

PLAGUE-INFECTED SHIPS.

Requirements in case of infected ships.

6. Every plague-infected ship shall be directed to take up her position at the Sanitary Station and shall be medically inspected by the Medical Officer of Health and shall remain there until the requirements at that Station have been fulfilled: provided that should the Medical Officer of Health consider, either on account of there being no cases on board, and of the ship having on board a duly qualified doctor and a proper disinfecting apparatus, or for such other reasons as he may consider sufficient, that it is not necessary for the ship to proceed to the Sanitary Station, he shall certify such opinion in writing, and in that case the ship shall take up such a position as is pointed out by the Port Officer, and in such case the provisions of this part shall, so far as the Medical Officer of Health may direct, apply as if the position so appointed were a Sanitary Station.

Sick to be landed and isolated.

7. On arrival at the Sanitary Station the sick shall be immediately disembarked and isolated under the orders of the Medical Officer of Health, and no person so isolated shall leave such place of isolation until the Medical Officer of Health shall certify such person to be free from plague.

Other persons to be disembarked and kept under observation or surveillance.

8. The other persons on board except such members of the crew as are required for the care of the ship shall also be disembarked if possible, and either be kept under observation during a period which shall not exceed five days and which may or may not be followed by surveillance of not more than five days duration, or merely be subjected to surveillance during a period which shall not exceed ten days. The period shall date from arrival of the ship. It shall rest with the Medical Officer of Health, after taking into consideration the date of the last case, the condition of the ship, and the local possibilities, to take that one of these measures which seems to him preferable.

9. The master shall cause to be disinfected all such soiled linen, wearing apparel and articles belonging to the crew and passengers as are in the opinion of the Medical Officer of Health infected, and those parts of the ship which have been occupied by persons ill with plague or which the Medical Officer of Health regards as infected.

Articles belonging to the crew and passengers which are likely to carry infection to be disinfected, and the ship to be cleansed and disinfected.

10. The master shall cause all rats on board to be destroyed, either before or after discharge of cargo, as quickly as possible, and in any case within a maximum time of forty-eight hours, and in the case of ships in ballast, as soon as possible before taking cargo.

All rats on the ship to be destroyed.

The process shall be carried out to the satisfaction of the Medical Officer of Health, but so as to avoid damage to merchandise or to the ship's plating and engines.

11. When the provisions in this part have been fully complied with, the Medical Officer of Health shall by an order in writing under his hand, to be delivered to the master, permit the plague signals to be removed and grant pratique.

When Health Officer may give pratique.

PART III.

PLAGUE SUSPECTED SHIPS.

12. Sections 6 and 9 shall apply to plague suspected ships in like manner as they apply to infected ships.

The provisions of Sections 6 and 9 to apply to suspected ships.

13.—(1) Every passenger and member of the crew of a plague suspected ship may be subjected to surveillance, the duration of which, dating from the arrival of the ship, shall not exceed five days.

Passengers and crew may be subjected to surveillance.

(2) No member of the crew of a suspected ship shall leave the ship except in the course of his duties, or with the sanction of the Medical Officer of Health.

The crew may be prevented from leaving the ship except on duty.

14. The Medical Officer of Health may require the master of a suspected ship to cause all rats on board the ship to be destroyed either before or after discharge of cargo. In such case the process employed for the destruction of rats must be carried through as quickly as possible and in any case must not exceed twenty-four hours. In the case of ships in ballast, if there be occasion for it, the process shall be carried out as soon as possible and in any case before taking cargo on board.

The Officer of Health may require the destruction of rats on Board the ship.

15. When the provisions in this part, so far as they relate to any ship, have been fully complied with, the Medical Officer of Health shall by an order in writing under his hand, to be delivered to the master, permit the plague signals to be removed and grant pratique.

When Health Officer may grant pratique.

PART IV.

SHIPS FREE FROM PLAGUE.

16. Every ship which arrives from a plague infected port, or is otherwise likely to be carrying plague infection, although she is neither an infected nor a suspected ship within the meaning of this Ordinance, may, at the discretion of the Medical Officer of Health, be subjected to the following measures:—

Healthy ships may be subjected to the measures prescribed by this Section.

(a) Medical inspection of crew and passengers.

(b) The disinfection of soiled linen, wearing apparel and other articles belonging to the crews and passengers when the Medical Officer of Health has special reasons for regarding them as infected.

(c) The Medical Officer of Health may require the master to subject the ship to a process intended to secure the destruction of rats on board, either before or after discharge of cargo. This process must be carried out as quickly as possible, and in any case must not take longer than twenty-four hours, and in such a manner as to avoid damage to merchandise and to the ship's plating and engines, and in such a manner as not to interfere with the coming and going of passengers and crew between ship and shore. In the case of ships in ballast, the process, if there be occasion for it, shall be carried out as soon as possible, and in any case before taking cargo on board.

17. If a ship from an infected port has been subjected to measures of rat destruction these shall not be repeated unless the ship has called at any other infected port and has there been brought up to the quay, or unless sick or dead rats have been found on board.

Measures for the destruction of rats not to be taken in certain cases.

Passengers and crew may be subjected to surveillance, and the crew may be prevented from leaving the ship except on duty.

18. The crew and passengers may be subjected to surveillance during a period which shall not exceed five days, reckoned from the date on which the ship left the infected port. The crew may during the same period be prevented from leaving the ship except on duty.

The master and doctor of the ship may be required to certify on oath that there has been no case of plague on board since departure, and that unusual mortality of rats has not been observed.

19. The Medical Officer of Health at the port of arrival may, in all cases, exact a certificate, given on oath, from the doctor of the ship, or if there is no doctor from the master, testifying that there has not been a case of plague on board since departure and that unusual mortality of rats has not been observed.

When Health Officer may grant pratique.

20. When the provisions in this part, so far as they relate to any ship, have been fully complied with, the Medical Officer of Health shall by an order in writing under his hand, to be delivered to the Master, permit the plague signals to be removed and grant pratique.

CHAPTER V.

CHOLERA INFECTED SHIPS.

A cholera infected ship to be subjected to the measures prescribed by this Section.

21. A cholera infected ship shall be subjected to the following measures :—

(1) Medical inspection.

(2) The sick to be immediately removed and isolated.

(3) The passengers and crew to be disembarked if possible, and either kept under observation or subjected to surveillance during a period which shall vary with the health conditions of the ship and the date of the last case, but which shall not exceed five days, reckoned from the arrival of the ship.

(4) All such soiled linen, wearing apparel, and articles belonging to the crew and passengers as are in the opinion of the Medical Officer of Health infected shall be disinfected.

(5) Those parts of the ship which have been occupied by persons ill with cholera or which the Medical Officer of Health regards as infected shall be disinfected.

(6) The bilge water shall be disinfected and pumped out.

Officer of Health may order a fresh supply of drinking water to be taken on board.

22. The Medical Officer of Health may order a supply of wholesome drinking water to be substituted for that stored on board.

Human excreta not to pass from ship without disinfection.

23. Human excreta shall not be cast or allowed to pass from a cholera infected ship without preliminary disinfection.

CHOLERA SUSPECTED SHIPS.

Measures to be adopted in the case of cholera suspected ships.

24. Cholera suspected ships shall undergo the measures prescribed in Section 21 sub-sections (1) (4) (5) and (6).

Crew and passengers may be subjected to surveillance.

25. The Medical Officer of health may subject the crew and passengers to surveillance during a period which shall not exceed five days, reckoned from the arrival of the ship. The Medical Officer of Health may also prevent for the same period the crew from leaving the ship except on duty.

CHOLERA HEALTHY SHIPS.

Healthy ships to be given free pratique immediately.

26. Cholera healthy ships shall be given free pratique immediately, whatever the bill of health may be.

Measures to be adopted.

27. The Medical Officer of Health may order the measures specified in Section 21 sub-sections (1) (4) and (6).

28. The Medical Officer of Health may subject the crew and passengers to surveillance during a period which must not exceed five days, reckoned from the date that the ship left the infected port. He may also for the same period prohibit the crew from leaving the ship except on duty.

Passengers and crew may be subjected to surveillance.

29. The Medical Officer of Health at the port of arrival may, in all cases, exact a certificate, given on oath, from the Doctor of the ship (if any), or from the Captain, testifying that there has not been a case of cholera on board since departure.

Certificate on oath may be required of the Doctor or Master.

PART VI.

MISCELLANEOUS.

30. The Medical Officer of Health, for the purpose of exercising any of the duties imposed upon him under this Ordinance, may medically examine any and every person on board any ship arriving at any port of the Protectorate.

Power to Medical Officer of Health to examine persons arriving on board ship.

31.—(1) No person having or appearing to have any of the symptoms of plague or cholera shall embark on any ship.

Similar power with regard to persons embarking at a Protectorate port.

(2) In case of any outbreak of plague or cholera or suspected case of plague or cholera in the Protectorate, the Medical Officer of Health may medically examine any and every person taking a passage by a vessel leaving any port of the Protectorate at the time of embarkation, by day, and on shore, during such time as may be necessary. The Consular authority of the country to which the ship belongs may be represented at the examination under this or the succeeding sub-section.

(3) In the case of any outbreak of plague or cholera at any port of the Protectorate, the Medical Officer of Health, shall examine every person taking a passage by a vessel leaving such port at the time of embarkation, by day, and on shore, until such time as such port shall be declared to be free from plague or cholera.

(4) It shall be the duty of the agents of any vessel about to leave the port to arrange with the Medical Officer of Health the time and place at which such examination shall be held.

32.—(1) When a ship is not certified to be suspected or infected, but has passengers on board who are in a filthy or otherwise unwholesome condition, or is overcrowded with passengers, the Medical Officer of Health may, if in his opinion it is desirable with a view to checking the introduction or spread of plague or cholera and on his certifying to that effect, order such ship to proceed to the Sanitary Station or to such place as he may direct and may retain under observation or surveillance the passengers and crew for such a period, not exceeding five days from the arrival of the ship, as he may direct.

Provision regarding filthy and overcrowded ships.

(2) The Medical Officer of Health shall in the case of every such ship give directions and take such steps as to cleansing and disinfection as may appear to him to be necessary.

33. The Master of any ship or any other person shall answer truly, and, if required, in writing and on oath, all questions put to him by and give all such information to the Medical Officer of Health as may be necessary for any purpose of this Ordinance.

Master may be required to answer questions on oath.

34. Any ship which uses a port of the Protectorate as a port of call merely, may, instead of submitting to the provisions of this Ordinance, at the choice of the Master, remain at such anchorage as may be appointed by the Port Officer during its stay in Port. Such ship shall only have such communication with the shore as may be authorised by the Medical Officer of Health.

Provisions if ship only calls at a port.

35. Any person on board any ship arriving at a port of the Protectorate who is ascertained by the Medical Officer of Health to be suffering from any illness which such officer suspects may prove to be plague or cholera, may either be detained on board the ship or be taken to some hospital or other suitable place appointed for that purpose and detained there for a period not exceeding three days, in a case of a ship carrying a Medical Officer, and not exceeding five days, in the case of a ship not so provided, in order that it may be ascertained whether the illness is or is not plague or cholera.

Detention of sick persons.

36. Any native of Africa, not being of European or American origin, and any Asiatic disembarking at any port of the Protectorate from a ship which is an infected, suspected or healthy ship within the meaning of this Ordinance, may be detained under observation by the Medical Officer of Health for a period

Special provision with respect to African Natives and Asiatics.

not exceeding five days from the arrival of such ship at the port, anything in this Ordinance to the contrary notwithstanding.

Provided that no person shall be detained under the provisions of this section alone unless the Medical Officer of Health shall certify in writing that the detention of such person is desirable with a view to checking the introduction or spread of plague or cholera.

Plague or cholera stricken persons to be isolated.

37. Where any person is found to be suffering from plague or cholera he shall immediately be as far as possible isolated and shall not be removed from one place to another except by order, and under the direction of the Medical Officer of Health, and shall not depart from the place where he is until the Medical Officer of Health certifies that he is free from plague or cholera.

Mails not to be interfered with or delayed.

38. Nothing in this Ordinance shall render liable to detention, disinfection or destruction any articles being part of the mails (other than a parcel mail) conveyed under the authority of the postal administration of any Government, or shall prejudicially affect the delivery in the due course of any such mail (other than a parcel mail) to the post office.

Measures to be taken in the case of outbreak of plague or cholera in the Protectorate.

39. In the case of any outbreak of plague or cholera in the Protectorate the Medical Officer of Health shall prohibit the exportation of any merchandise or article of any sort which he may have reason to believe is infected until such merchandise or other articles shall have been disinfected to his satisfaction, and in the case of any outbreak of plague in any port of the Protectorate he shall further take such steps and give such instructions to shippers and masters as he may deem necessary to prevent rats gaining access to any vessel in such port.

Precautions to avoid introduction of plague on landing merchandise.

40.—(1) Merchandise from infected ports shall be disembarked under such precautions, other than disinfection, as the officer appointed by His Majesty's Commissioner may direct, to prevent the introduction of rats which may be infected.

Disinfection of certain merchandise imported.

(2) Merchandise imported shall be disinfected only when, in the opinion of the Medical Officer of Health, it is infected: Provided always that clothing and bedding which has been used, and rags may when imported from an infected place as merchandise, be subjected to disinfection even in the absence of evidence that they are infected, or their introduction into the Protectorate may be prohibited, except that in the case of cholera, rags compressed in bales, if in the opinion of the Medical Officer of Health they are free from infection, shall not be subjected to the provisions of this sub-section.

Power to Commissioner to make rules.

41. The Commissioner may make rules prescribing the place where and the process whereby any article or thing required by this Ordinance or by the Medical Officer of Health acting in pursuance of this Ordinance to be disinfected shall be disinfected and generally for the better carrying out of the provisions of this Ordinance.

Expenses of disinfecting under this Ordinance to be paid by the master or owner of the ship.

42. The cost and expenses of and incidental to disinfecting any ship or any article or thing under the provisions of this Ordinance shall be paid by the master of the ship, or the owner of the article or thing disinfected.

Penalties.

43. Any person 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 shall be liable to a fine not exceeding Rupees seven hundred and fifty or, in default of payment thereof, to imprisonment with or without hard labour for a period not exceeding three months, or he may be sentenced to such imprisonment without the option of a fine.

Provision in the event of the master of the ship failing to do anything required of him under this Ordinance.

44. Should the master of the vessel omit to do the matters and things required of him by this Ordinance or by any lawful order of the Medical Officer of Health, the Medical Officer of Health may cause the same to be done and shall recover the cost thereof and all expenses occasioned thereby from the master; until such costs and expenses have been paid by the master, the Medical Officer of Health shall not grant pratique to the ship in respect of which the costs and expenses have been incurred, anything in this Ordinance to the contrary notwithstanding.

Ordinance not to affect other sanitary precautions. Repeals.

45. Nothing in this Ordinance shall affect the execution of any powers with respect to the prevention of any diseases other than plague or cholera.

46. The East Africa Plague Ordinance 1900 (No. 16 of 1900) and the East Africa Plague Ordinance 1905 are hereby repealed.

Short title.

47. This Ordinance may be cited as "The East Africa Plague and Cholera Ordinance 1907."

F. J. JACKSON,
Acting Commissioner.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

Enacted by His Excellency the Governor for the East Africa Protectorate.

Mombasa,
Dated this 6th day of May, 1907.

J. HAYES SADLER,
Governor.

No. 5 OF 1907.

IT is hereby enacted as follows:—

1. This Ordinance may be cited as the "Designation of Officers Ordinance 1907" and shall come into force on the Proclamation within the Protectorate of the "East Africa Order in Council 1906."

2. Where in any Ordinance, Regulation, Proclamation, rule, order or notice the words Commissioner, Sub-Commissioner, Collector, or Assistant Collector occur they shall be read and construed as though the words Governor, Provincial Commissioner, District Commissioner, and Assistant District Commissioner had been substituted therefor respectively.

Mombasa,
Dated this 6th day of May, 1907.

J. HAYES SADLER,
Governor.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 6 OF 1907.

TO AMEND THE EAST AFRICA POLICE ORDINANCE 1906.

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

1. This Ordinance may be cited as the East Africa Police Ordinance 1907 and shall be read as one with the East Africa Police Ordinance 1906 hereinafter referred to as the Principal Ordinance. Short title.

2. The provisions of Section 9 of the Principal Ordinance shall not apply to the appointment of a Police Officer of European birth or extraction.

The provisions of Section 9 of the Principal Ordinance not applicable to the appointment of European Officers.

3.—(1) The Governor may confer upon any Provincial Commissioner all or any of the powers which may be exercised by a Deputy Inspector General of Police: Provided however that such powers shall be exercised by the Provincial Commissioner within the limits of his Province only and Provided further that such power may at any time be cancelled by the Governor.

Authority to Governor to confer the power of a Deputy Inspector General on Provincial Commissioners.

4. The Principal Ordinance shall be and is hereby amended as follows:—

- (1) By substituting the words "Deputy Inspector General, Assistant Inspector General" for the words "Assistant Deputy Inspector General" in Section 8 (1).
- (2) By substituting for the words "Drinking on duty" the words "Drinking at a time when by the special or general orders of a superior Officer such Police Officer should be on duty" in Section 8 (1) (2).
- (3) By substituting the words "Assistant Inspector General" for the words "Assistant Deputy Inspector General" in Section 13.
- (4) By substituting the word "establish" for the word "established" in Section 25 (1).
- (5) By the omission of the word "ghat" in Section 30.
- (6) By substituting the words "this Ordinance" for the words "the Ordinance" in Section 35.

Amendment in Principal Ordinance.

J. HAYES SADLER,
Governor.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 7 of 1907.

FOR THE ABOLITION OF THE LEGAL STATUS OF SLAVERY THROUGHOUT THE EAST AFRICA PROTECTORATE.

WHEREAS it has been determined to abolish the Legal Status of Slavery throughout the Protectorate. Be it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as the Abolition of the Legal Status of Slavery Ordinance 1907.

The Legal Status of Slavery absolutely abolished.

2. From and after the 1st day of October 1907, the Legal Status of Slavery shall be and remain abolished throughout the Protectorate, and all claims of whatever description made before any Court in the Protectorate in respect of the alleged relations of Master and Slave shall be referred to the District Court or to the Special Court, as the case may be, within the jurisdiction of which the case may arise, and shall be cognizable by that Court alone.

No rights over the body, service or property of a slave to be enforceable but Master may claim compensation for damages actually suffered by reason of the provisions of this Ordinance. Such claims to be made to the District Court.

3. From and after the 1st day of October 1907, a District Court or Special Court shall decline to enforce any rights claimed over the body, service, or property of any person on the ground that such person is a slave, whenever any person shall claim that he is lawfully possessed of such rights other than rights over property but in accordance with the law existing in the Protectorate immediately before the making of this Ordinance and has by this Ordinance been deprived of them, and has suffered loss by such deprivation, then the Court shall serve or cause to be served upon the person making such claim a notice requiring him to appear at the Court on a date to be stated in such notice, but not within 28 days of the date of such notice, to prove his claim. Provided however that a District Court or Special Court shall enforce, according to the law in force immediately before the making of this Ordinance, any claim made by a master to or in respect of property belonging to him in the possession of his slave at the date in this Section first mentioned.

The Court must post notice of every claim for a period of not less than 28 days before the claim is heard.

4. Whenever a claim shall be made under the preceding Section the Court shall cause a notice written in Swahili and Arabic to be posted outside the Court building stating the name of the claimant, the name of the alleged slave in respect of whom the claim is made, and the day on which the claim will be heard, and calling upon any person or persons who may wish to oppose the claim to appear at the Court on the said day. Such notice shall be posted as aforesaid for not less than 28 days before the day fixed for the hearing of the claim. No Court fees shall be demanded by a District Court or Special Court in respect of any claim made or heard for compensation under this Ordinance.

The Court to take the evidence of the claimant and persons opposing the claims.

5. On the day appointed for the hearing of any claim under this Ordinance, or on any day to which the hearing may be adjourned, the Court shall take the evidence of the claimant, if he appears, and of his witnesses (if any) and shall hear any person or persons who may appear to oppose the claim and take his or their evidence and the evidence of his or their witnesses (if any).

The Court to assess compensation and report to the Registering Officer.

6. If, after taking all the evidence produced by the claimant and the opponents (if any) to the claim, the Court is satisfied that a claimant was lawfully possessed of the rights claimed and has suffered loss by the deprivation of those rights occasioned by this Ordinance, it shall give judgment accordingly, and shall report to the Registering Officer that it deems the claimant entitled in consideration of the loss of such right and damage resulting therefrom to such pecuniary compensation as the Court may estimate to be a just and reasonable equivalent for their value, and the Registering Officer shall, save as hereinafter provided, then pay to the claimant the sum estimated by such Court. Provided however that the Court shall in no case award more than one hundred rupees as compensation for the loss of the services of a slave.

7. If the claimant shall fail to satisfy the Court that his claim is well founded, the Court shall dismiss the claim and may order the claimant to pay the reasonable expenses of any person or persons who may have successfully opposed the claim, and shall report to the Registering Officer accordingly.

The Court shall dismiss any claim which in its opinion is not well founded and report accordingly to the Registering Officer.

8. Every report sent to the Registering Officer under sections 6, 7 and 12 shall contain the following particulars:—(a) The serial number of the proceeding, and date; (b) the name and residence of the claimant; (c) the name and residence (if known) of the person in respect of whom the compensation is claimed; (d) the amount of compensation if any awarded.

A copy of the evidence to be forwarded to the Registering Officer.

9.—(1) Any person who shall claim any right over the body, service, or property of any person on the ground that such person is his slave, knowing or having reason to believe that such person is not his slave, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding Rupees one thousand, or to imprisonment of either description for a term which may extend to one year, or to both.

Penalty for making fraudulent claim.

(2) Any person who shall knowingly abet within the meaning of the Indian Penal Code any person in the commission of an offence under the preceding Sub-Section shall be guilty of an offence and shall be liable to be punished with the punishment provided by that Sub-Section.

Penalty for abetment of an offence under preceding sub-section.

10. The Registering Officer shall not pay compensation under this Ordinance in any of the following cases:—

When the Registering Officer shall not pay the compensation assessed.

- (1) When the person to whom compensation is payable has been convicted of an offence under the preceding Section.
- (2) When compensation for the loss of rights in respect of the body, or service of a slave, has already been awarded and paid to some other person who has satisfied a Court that he is the owner of such slave.
- (3) When he shall receive notice from any person that he has entered an appeal in the High Court against the decision and award of the District or Special Court and until he shall be notified that such appeal has been dismissed.
- (4) When it shall appear that compensation has been already paid under this Ordinance to the person in whose favour the award has been made in respect of the deprivation of any rights over the body, or service, of the same slave.

11.—(i) Any person making a claim under any of the provisions of this Ordinance and any person prejudiced by the decision of any District or Special Court in any matter arising under this Ordinance, whether he shall have been a person opposing a claim in the said Court or not, shall have the right to appeal from the decision of the District or Special Court to the High Court, provided that such appeal shall be entered within 45 days from the date of award.

Appeals to the High Court.

(ii) An appeal under the preceding sub-section shall be entered by sending to or depositing with the Registrar of the High Court a notice of appeal stating the grounds of appeal, and there shall be paid to the Registrar at the time of sending or depositing such notice a fee of Rs. 5. But the appeal shall not be deemed to have been entered until such notice and fee shall have been received by the Registrar.

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

12.—(1) From and after the first day of October 1907 a District or Special Court shall not enforce any right claimed by a slave against his Master on the ground that he is a slave: Provided that whenever any slave shall complain to a District or Special Court that he is unable by reason of age, ill-health or other infirmity to earn a living, and that his Master has refused to give him such support as he would be entitled by law to demand of him but for the provisions of this Ordinance, the Court shall summons or cause to be summoned to the Court the alleged Master and shall after taking the evidence of the complainant and the alleged Master if he appears,

Compensation may be paid to a sick or aged slave for damage actually suffered by reason of the provision of this Ordinance.

and of such other person who may be called to give evidence in the matter, if satisfied that the complainant would but for the provisions of this Ordinance be entitled by law to be supported by the said Master and that the Master has refused to give him such support, award to the complainant such pecuniary compensation as may be a just and reasonable equivalent for the value of the right of which he has been deprived by this Ordinance.

(2) The compensation awarded under the preceding Sub-Section may be in the nature of a lump sum or a monthly or yearly payment.

(3) The Court shall send to the Registering Officer a report of every claim made under Sub-Section 1 of this Section, together with a copy of the award of the Court, and the Registering Officer shall then pay to the complainant the compensation (if any) awarded, and in accordance as regards the time and manner of payment with the judgment.

No compensation to be paid to a Master in respect of a slave who shall have received compensation under this Ordinance.

13. A Master shall not be entitled to any compensation for the loss of any right over the body, or service, of any slave to whom any compensation shall have been awarded under this Ordinance.

The Registering Officer to keep a record of reports, judgments, etc., under this Ordinance.

14. The Registering Officer shall keep or cause to be kept a full and proper record of all reports sent to him under this Ordinance, and a record showing the amount of compensation paid, the name of person to whom it has been paid, and of the person in respect of whom the compensation was awarded.

Saving clause as regards concubines.

15. Concubines shall not be deemed to be slaves for the purpose of this Ordinance, and nothing in this Ordinance shall alter the law relating to the rights and duties of concubines in force in the Protectorate at the date of this Ordinance. Provided however that in any case in which a concubine shall petition a District Court or Special Court for a dissolution of the relations existing between herself and her Master on the grounds of cruelty, such Court may, if the alleged cruelty shall have been proved to its satisfaction, grant such dissolution, and thereupon the Master shall cease to have any rights over the body, service or property of such concubine, but no compensation shall be paid to such Master for the loss of such rights. For the purpose of this Section the word "concubine" shall mean a female member of the household who is an inmate of the harem.

Registering Officer may be authorised to hold a District or Special Court.

16. The Governor may authorise the Registering Officer to hold an additional District or Special Court in any District of the Protectorate for the purpose of hearing and determining any claim for compensation under this Ordinance.

Governor shall appoint a Registering Officer.

17. The Governor shall appoint an Officer to exercise and perform the powers and duties conferred and imposed upon the Registering Officer under this Ordinance.

J. HAYES SADLER,
Governor.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 8 OF 1907.

*Amended Ord 3/c
1912*

TO AUTHORISE THE ISSUING OF LICENCES TO OSTRICH FARMERS FOR THE Title,
COLLECTING OF THE EGGS OF WILD OSTRICHES AND FOR THE CAPTURING
OF YOUNG WILD OSTRICHES.

[11th October, 1907.]

Date.

WHEREAS it is desirable that encouragement should be given to the industry of Ostrich farming in the Protectorate and that persons engaged in Ostrich farming should be authorised to take the eggs of wild Ostriches and to capture young wild Ostriches.

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

1. This Ordinance may be cited as the Ostrich Ordinance, 1907. Short title.
2. In the interpretation of this Ordinance unless repugnant to the Interpretation.
context the following words and expressions shall have the meaning following:—
 - A "domesticated Ostrich" shall mean an Ostrich which has been bred in captivity or which has been captured when young and kept in captivity for a period of not less than three months.
 - A "young Ostrich" shall mean an Ostrich which shall not have reached the age of two months.
 - An "Ostrich farmer" shall mean a person who has been registered as such under the provisions of this Ordinance.
3. Save as hereinafter provided no person shall export from the Pro- Prohibition
tectorate or shall within the Protectorate take, receive, purchase, sell, offer against taking
or expose for sale the egg of any wild ostrich. or trading in the
eggs of wild
ostriches.
4. Save as hereinafter provided no person shall hunt, kill, capture, sell, Prohibition
purchase, transfer, accept or receive any wild ostrich. against hunting,
&c., wild
ostriches.
5. Save as hereinafter provided no person shall within the Protectorate Prohibition
sell, transfer, purchase, accept or receive, or export from the Protectorate the against trading in
feathers of any ostrich. ostrich feathers.
6. Any person of European birth or descent may on application to the The Registration
Provincial Commissioner of the Province in which he resides, and on payment of ostrich farmers.
of a fee of Rupees five, be registered as an ostrich farmer.
7. No person other than an ostrich farmer shall sell, transfer, purchase Only ostrich
or receive any domesticated ostrich or the egg of any domesticated ostrich. farmers to trade
in domesticated
ostriches and
their eggs.
8. An ostrich farmer may sell to a feather merchant licensed under this Ostrich farmers
Ordinance or may export from the Protectorate ostrich feathers obtained from may sell to
domesticated ostriches kept by him. feather merchant
and may export
the feathers of
ostriches kept
by him.

Ostrich Hunter's licences and Feather Merchant's licences may be granted.

Fees to be paid for licences.

9. The following licences may be granted by the Governor or by such person or persons as shall be authorised by the Governor, that is to say:—

- (1) An Ostrich Hunter's Licence.
- (2) A Feather Merchant's Licence.

The following fees shall be payable for licences, that is to say: for an Ostrich Hunter's Licence Rupees forty-five; for a Feather Merchant's Licence Rupees fifteen.

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

Ostrich Hunter's licence, to whom it may be granted.

10. An Ostrich Hunter's Licence shall not be granted to any person other than an Ostrich farmer and who shall be the occupier of not less than fifty acres of land and in possession of such pens and incubators as shall in the opinion of the Governor or of the officer authorised to issue such licences be necessary for the proper management of an ostrich farm, and not more than four Ostrich Hunter's Licences shall be issued to any one ostrich farmer.

Right under an Ostrich Hunter's licence.

11.—(1) An Ostrich Hunter's Licence shall authorise either the ostrich farmer or any one person of European birth or descent engaged with him or employed by him in connection with his ostrich farm and named in such licence to take the eggs of wild ostriches and to capture and possess young wild ostriches for and on behalf of such ostrich farmer.

Provided that a single Ostrich Hunter's Licence shall not authorise both the ostrich farmer and the person so engaged and employed and named in the licence to capture young wild ostriches and to take the eggs of wild ostriches.

(2) Should the person so engaged or employed and named in such licence cease to be engaged or employed by such ostrich farmer the Governor or the officer who shall have issued such licence may, on application being made by such ostrich farmer, cause the name of some other person of European birth or descent engaged with or employed by such ostrich farmer in connection with his ostrich farm to be substituted for the name of the person so ceasing to be engaged or employed.

(3) An Ostrich Hunter's Licence shall not authorise the sale of young wild ostriches or the eggs of wild ostriches.

Native Servants may assist Hunters.

12. Natives in the employment of the holder of an Ostrich Hunter's Licence may when in the company of or under the direct supervision of such licence holder without licence assist such licence holder in hunting young ostriches, or in collecting ostrich eggs; save as aforesaid the holder of a licence shall not accept or receive from any native any wild ostrich or the egg of a wild ostrich.

An Ostrich Hunter's licence does not authorise the holder to hunt, &c., on private land or in a game reserve.

13. No licence granted under this Ordinance shall entitle the holder to hunt or enter upon any private property without the consent of the owner of such property or to hunt wild ostriches or to take any egg of any wild ostrich within a Game Reserve.

Feather Merchant's licence, to whom it may be granted.

14.—(1) A Feather Merchant's Licence may be granted to such responsible persons or firms as may be approved by the Governor.

(2) Such licence shall authorise the holder to purchase from ostrich farmers and to sell within the Protectorate and to export from the Protectorate the feathers of domesticated ostriches.

(3) The feathers of any domesticated ostrich which shall be purchased or received from the holder of a Feather Merchant's Licence shall be deemed to be lawfully purchased and may be lawfully possessed in or exported from the Protectorate.

Feather Merchant to keep register.

15.—(1) It shall be the duty of the holder of a Feather Merchant's Licence to keep or cause to be kept a register in which shall be recorded the following particulars regarding all transactions under his licence, namely:—

1. The date on which any feathers are bought or received.
2. The person from whom the feathers are bought or received.
3. The weight of feathers bought or received.
4. The date when any feathers are sold or exported.

5. The weight of feathers sold or exported.
6. The persons to whom any feathers are sold.

(2) The holder of a Feather Merchant's Licence shall produce such register for inspection whenever required to do so by a District Commissioner or a European Police Officer, of or above the rank of Inspector.

(3) Any person who shall fail to keep the register required by this section or to produce his register when required to do so by a District Commissioner or European Police Officer of or above the rank of Inspector shall be guilty of an offence and shall be liable to a fine not exceeding rupees one thousand.

16. It shall be the duty of the holder of a Feather Merchant's Licence to make or cause to be made to the District Commissioner of the District within which his place of business is situate at the end of the sixth and twelfth months from the date on which his licence shall have been issued a return of the particulars required by Section 15 (1).

Feather Merchant to make a return.

17. Any person who shall fail to make or cause to be made any return by this Ordinance required or shall knowingly or wilfully make or cause to be made any return by this Ordinance required to be made 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, shall be guilty of an offence and shall be liable to a fine of rupees one thousand.

Penalty for failure to make return required or for making false return.

18. No person shall export from the Protectorate a live ostrich or an unblown ostrich egg unless he shall have first obtained a licence on that behalf from the Governor.

Licence required for exporting ostriches and their eggs.

There shall be paid for a licence to export a live ostrich rupees one thousand five hundred, and for a licence to export an unblown egg rupees seventy-five. Provided that the Governor may remit the whole or a part of the licence fee in any case when he is satisfied that an ostrich is being exported for scientific purposes.

Licence Fee.

19. No person shall export from the Protectorate a blown ostrich egg unless he shall produce a certificate signed by an Ostrich Farmer certifying that such egg has been obtained from the person signing the certificate, or unless he shall satisfy the Customs Officer that the egg was lawfully possessed by him before the publication of this Ordinance.

Certificate to be produced by exporter of a blown ostrich egg.

20. No export duty shall be payable upon the feathers of any domesticated ostrich exported from the Protectorate within three years from the date of the publication of this Ordinance.

Suspension of export duty on ostrich feathers.

21. This Ordinance shall not apply to any ostrich or to the egg of any ostrich introduced into the Protectorate for export or to the feathers of any ostrich introduced into the Protectorate for sale or export and so declared at the time of introduction, or to the feathers of any wild ostrich lawfully possessed by any person at the date of the publication of this Ordinance, the onus of proving such possession being on the owner.

Ordinance not to apply to ostrich, eggs or feathers introduced for export or feathers introduced for sale or the feathers of wild ostriches lawfully possessed at the date of Ordinance.

22. When it appears to the Governor that any method used for capturing ostriches is unduly destructive, he may by proclamation prohibit such method or prescribe the conditions under which such method may be used, and if any person uses any method so prohibited or uses 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.

The Governor may prohibit any destructive method of capturing ostriches.

23. When any Magistrate, European Police Officer of or above the rank of Inspector, Game Ranger or Assistant Game Ranger thinks it expedient for the purpose of verifying the register of a licence 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 licence, he may inspect and search or authorise any subordinate officer to inspect and search any baggage, packages, waggons, tents, buildings, caravan, ship or boat belonging to or under the control of such person or his agent, and if the Officer finds any ostrich, ostrich feather, or ostrich egg appearing to have been taken or to be possessed, or any live ostrich

Powers to search and seize, etc.

appearing to have been captured or to be possessed in contravention of this Ordinance, he shall seize and take the same before a Magistrate to be dealt with according to law. Provided that no Game Ranger or Assistant Game Ranger shall exercise this power except in cases of emergency, in which case he shall report to a Magistrate as soon as possible.

Penalty for breach of provisions of this Ordinance.

24. Any person who commits any breach of this Ordinance or of the conditions of his licence shall, save where other provision is made in the Ordinance, on conviction be liable to a fine which may extend to rupees one thousand, and when the offence relates to more ostriches than one to a fine in respect of each ostrich which may extend to rupees five hundred, and in either case to imprisonment, which may extend to two months, with or without fine.

In all cases of conviction, any feather or egg of any ostrich found in possession of the offender or his agent, and all live ostriches captured in contravention of this Ordinance, shall be liable to forfeiture.

If the person convicted is the holder of a licence, his licence may be revoked.

Powers to Police to arrest without warrant.

25.—(1) When a person is seen or found committing an offence, or is reasonably suspected of being engaged in committing an offence, against this Ordinance, a European Police Officer, Game Ranger or Assistant Game Ranger may, without warrant, stop and detain him, and if his name and address are not known to the European Police Officer, Game Ranger or Assistant Game Ranger and such person fails to give them to the satisfaction of the European Police Officer, Game Ranger or Assistant Game Ranger the European Police Officer, Game Ranger or Assistant Game Ranger may without warrant apprehend him.

(2) 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.

Governor may prescribe forms.

26. The Governor may by rule prescribe the form of any licence, register or return to be issued, kept or made under this Ordinance.

Repeals.

27. The provisions of the East Africa Game Ordinance 1906 relating to ostriches, ostrich eggs and ostrich feathers and in so far as they relate thereto are hereby repealed. Provided that any person who shall hunt, kill or capture an ostrich in a game reserve shall be guilty of an offence against the aforesaid Ordinance: And provided further that nothing in this Ordinance shall be deemed to prohibit the Governor from granting a special licence to any person to hunt or capture an ostrich for scientific or administrative reasons.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 9 OF 1907.

Title. TO AMEND THE EAST AFRICA VOLUNTEER RESERVE ORDINANCE 1905.

Date. [11th October, 1907.]

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

Short title. 1. This Ordinance may be cited as the East Africa Volunteer Reserve Amendment Ordinance 1907, and shall be read as one with the East Africa Volunteer Reserve Ordinance 1905 hereinafter referred to as the Principal Ordinance.

Amendments to Principal Ordinance. 2. The Principal Ordinance shall be amended to the following extent:—

(1) In Section 4 after the words "European parentage" add "or a Goanese or Parsi."

(2) For section 16 substitute the following :—

“ Each Corps must hold an annual rifle meeting for rifle practice and for competition for prizes. Each registered member must fire annually the Musketry course laid down in Schedule D in the Principal Ordinance and must obtain 42 points in it in order to rank as efficient, provided that a member who from any sufficient cause may be unable to attend the annual rifle meeting of his corps may be allowed by the Senior Officer to comply with the requirements for efficiency at another meeting of his corps which has been specially called for practice or competition for prizes, or a member may also qualify at any station where there is a detachment of King's African Rifles and a Military Range and must obtain a certificate signed by the Officer Commanding the detachment to the effect that he has so qualified.

Any registered member who shall fail to qualify without good and sufficient cause shall be liable to be fined by the Senior Officer a sum not exceeding Rupees fifteen to be recovered in accordance with Section 9 of the Principal Ordinance.”

- (3) In Section 17 substitute the word and figures “31st March” for the word and figures “31st December.”
- (4) In Section 19 substitute the words “up to 500 rounds of ammunition per annum at six cents per round” for the words “an additional 300 rounds of ammunition per annum at cost price.”
- (5) In Schedule A, form 1, after the words “So help me God” add in brackets “(or in case of a Parsi such other form of oath as may be binding upon him).”

3. The Governor may sanction the issuing to every member of a corps the following equipment :— Equipment to be issued.

- 1 Belt and frog for bayonet.
- 1 Bayonet.
- 1 Water bottle.
- 1 Haversack.

4. The equipment mentioned in the last Section shall remain the property of the Government, and any member of the corps who shall sell any of such equipment issued to him or shall part with the same except to a member of a corps under this Ordinance or to the Government, or shall through negligence permit the same to be lost or damaged, shall be liable to a fine not exceeding Rupees one hundred and fifty, which fine may be imposed by the Senior Officer of the corps to which such person belongs and may be recovered in the manner prescribed by Section 9 of the Principal Ordinance. Penalties for losing equipment.

5. No Goanese or Parsi shall be admitted as a member of a corps unless and until there shall be at least fifteen of such willing to become members of such corps. Not less than 15 Goanese or Parsis may be enrolled.

6. The Goanese and Parsi members of a corps shall be formed into a separate company, half company or section, as the case may be, any officer of which above the rank of Section Commander shall be a European member of the corps, elected by the European members of the corps. Goanese and Parsi members to form separate unit.

7. Should the number of Goanese or Parsi members of a corps at any time fall below fifteen, the Goanese and Parsi company, half company or section, as the case may be, shall be disbanded and the arms and ammunition issued to the members shall be returned to the Government. If less than 15 members unit to be disbanded.

8. The Goanese and Parsi members of a corps shall not be entitled to vote on the election of an officer or officers above the rank of Section Commander under Section 2 of the Principal Ordinance, or at any general or special meeting of the members of a corps other than the election of Section Commanders to their own sections. Conditions of voting of Goanese and Parsi members.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 10 OF 1907.

Title. TO AMEND THE MASTER AND SERVANTS ORDINANCE 1906.

Date. [9th September, 1907.]

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

Short title.

1. This Ordinance may be cited as the Master and Servants Ordinance 1907, and shall be read as one with the Master and Servants Ordinance 1906.

2.—(1) Any written contract of service entered into in British India for service in the East Africa Protectorate shall if it shall have been executed and attested in the manner prescribed by the Indian Emigration Act 1883 or by any law for the time being in force in British India relating to the Emigration of Natives of India be deemed to have been executed in conformity with the Master and Servants Ordinance 1906, anything in Section 37 of the said Ordinance to the contrary notwithstanding.

(2) Any such contract of service shall be deemed to have been made, executed, and attested in conformity with the laws in force in British India, if it shall bear the attesting signature of an Officer or other person purporting to be a person authorised by law to attest such contracts, unless it shall be proved that such person was not so authorised.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 11 OF 1907.

Title. TO MAKE PROVISION FOR THE PROPER NOTIFICATION OF AMENDMENT TO INDIAN ACTS APPLICABLE TO THE PROTECTORATE.

Date. [27th November, 1907.]

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

Short Title.

Amendment to Indian Acts applied to the Protectorate not to become operative in the Protectorate until applied by Ordinance.

1. This Ordinance may be cited as "The Applied Acts Ordinance 1907."
2. An Act of any Legislature of India amending or substituted for any Act of such Legislature which has been made applicable to and brought into operation in the Protectorate shall, if such Act has been passed before the publication of this Ordinance, apply to the Protectorate as from the date when such Act shall have come into force in India; but no such Act passed after the publication of this Ordinance shall apply to the Protectorate until it shall be applied by Ordinance.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 12 OF 1907.

TO MAKE PROVISION FOR THE REGISTRATION OF BRANDS OF STOCK. Title.

[12th December, 1907.] Date.

WHEREAS it is expedient to make provision for the registration of brands for stock :

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

1. This Ordinance may be cited as “The Branding of Stock Ordinance 1907” and shall come into force on the first day of January, 1908. Short title.

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

Interpretation of terms.

“Brand” shall mean a brand duly registered under this Ordinance and made upon any portion of the hide of any stock in manner prescribed by this Ordinance ;

“Branding iron” shall mean the instrument prescribed for imprinting a brand or mark on stock by this Ordinance or the rules made under it ;

“Branding instrument” shall mean any other instrument or tool by which any mark or symbol can be impressed, imprinted or cut on any portion of any stock ;

“Branding Directory” shall mean an authorised list of brands compiled by the Registrar of Brands and published by the Government ;

“Governor” shall mean the Governor of the East Africa Protectorate ;

“Distinctive Mark” shall mean a lawful mark (other than a registered brand) which a native is empowered by this Ordinance to mark upon any stock ;

“Stock” shall mean horses, cattle and ostriches ;

“Horse” shall mean any horse, mare, gelding, colt, filly, ass, zebra or mule ;

“Cattle” shall mean any bull, cow, steer, heifer or calf ;

“Inspector” shall mean any person empowered to act as an Inspector of Brands under this Ordinance ;

“Native” shall mean any native of Africa not of European or American origin ;

“Imprisonment” shall mean imprisonment with or without hard labour ;

“Register” shall mean the register book kept in pursuance of this Ordinance containing a list of brands for stock registered hereunder ;

“Registrar” shall mean the Registrar of Brands ;

“Regulations” shall mean the Regulations framed by the Governor under this Ordinance ;

“Residence” shall mean the residence, house, homestead or dwelling of the owner of any brand or stock ;

“Holding” shall mean any farm or other place where stock is kept ;

“District Commissioner” shall include “Assistant District Commissioner.”

ADMINISTRATION.

Registrar and
Inspectors of
Brands.

3. It shall be lawful for the Governor to appoint an Officer in the Department of Agriculture who shall be called the Registrar of Brands and whose office shall be in Nairobi, and such persons as he may think fit from time to time to be Inspectors of Brands. Every Provincial Commissioner, District Commissioner and European Police Officer of or above the rank of Inspector shall be ex-officio an Inspector of Brands.

Register Book.

4. The Registrar shall keep a register in the Form of Schedule “A” hereto of all brands allotted under the provisions of this Ordinance.

Application for
brand.

5. Any person other than a native requiring a brand shall deliver or transmit to the Registrar an application in the Form of Schedule “B” hereto accompanied by a fee of five rupees for the registration of a brand ; if no special combination is applied for, the Registrar, if satisfied that such application is in conformity with the provisions of this Ordinance, shall allot to such applicant in the order in which his application is received the first unallotted brand standing in the Register for the district in which the holding is situated on which the brand is to be used and shall register the said brand to such applicant accordingly in the Form of Schedule “A” hereto annexed.

Provided always that it shall be lawful for the Registrar at the request of the owner as aforesaid to allot another combination standing vacant in the register for the same district : Provided further that it shall not be necessary for a person who owns or occupies land in more than one district to register a separate brand in respect of each district. Such person may elect any one of the districts in which he intends to use such brand and may use the brand registered in respect of that district in any other district in which he shall keep stock.

Certificate.

6. Upon the registration of any brand as aforesaid the Registrar shall deliver or transmit to the applicant to whom such brand is allotted a certificate of the registration thereof in the Form of Schedule “C” hereof.

Form of registered
brand.

7. Save as otherwise provided by this Ordinance every registered brand shall consist of two letters and one numeral of plain and uniform pattern in an even and regular line, and the first of the letters shall indicate the district or sub-district in which the holding is situated on which the brand is to be used : Provided that any person wishing to register his present brand may do so on condition that it has not already been applied for and that the dominant letter of the district is added.

Number of brands
allotted to an
application.

8. One brand and no more shall be allotted to any person in any one district.

The size of the characters branded on horses and ostriches shall not be less than one and a half inches, on cattle two and a half inches.

How brands are to
be imprinted.

9. All brands shall be imprinted on stock as follows :—

(1) In the case of cattle—

(a) The first brand shall be imprinted on the near side of the neck of the animal, and every second or subsequent brand shall (where there is space sufficient for the purpose) be imprinted on the same part of such animal and at a distance of not less than one and a half inches from and directly underneath the brand imprinted according to the table herein set forth ;

(b) Where there is not sufficient space for the purpose then such second or subsequent brand shall be imprinted on the part of such animal next in order according to the following table :—

1. Off side of neck.
2. Near shoulder.
3. Off shoulder.
4. Near rump (or thigh).
5. Off rump.

(2) In the case of horses—

The first brand shall be imprinted either on the near side of the neck or near rump of such horse and any second or subsequent brand on that part of such animal herein mentioned at the distance stated in the preceding Sub-section and next in order as defined in that Sub-section paragraph *b* (1), (2), (3) and (5).

(3) In the case of ostriches—

The first brand shall be imprinted on the near thigh, and every second or subsequent brand shall (when there is space sufficient for the purpose) be imprinted on the same part and directly underneath the last brand, and where there is not sufficient space for the purpose then on the off thigh.

10. The Registrar shall at the end of each quarter of every year or as soon thereafter as possible transmit for publication in the "Gazette" a statement in the Form of Schedule "A" hereto of all brands registered under this Ordinance during such quarter with the name and addresses of their respective owners.

Publication in
"Gazette" of
registered brands.

11. From such quarterly publications the Registrar, as soon as possible after the 31st day of December in each year, shall cause a Brand Directory containing all the brands which stand registered up to that date to be compiled and published in the form of the said publications; and he shall cause a copy thereof to be forwarded as soon as possible after publication to the Inspector General of Police, every Inspector of Brands, Poundmaster and Post Office.

Animal Brand
Directory.

12. The person wishing to transfer his right to any registered brand and the person intending to become the transferee thereof shall sign a document in the Form of Schedule "D" and shall transmit it to the Registrar with a fee of ten Rupees who may on receipt thereof cancel the registration of the said brand standing in the name of the transferor and register such brand in the name of the transferee, and such transferee shall thereafter be deemed to be the person having the exclusive right to use such brand as aforesaid; the Registrar may return the fees and decline to register the transfer; provided that on the sale of a holding if the owner does not sell the whole of the stock bearing his brand to the purchaser the Registrar shall not transfer to the purchaser of such holding.

Transfer of
registered brands.

The Registrar shall keep a book in which all transfers, surrenders and cancellations of brands shall be recorded, and the Registrar shall notify the same at the end of every quarter in the "Gazette" immediately following the quarterly statement of brands registered.

13. The owner of any brand may surrender the same and the Registrar shall on receipt of notice thereof cancel the registration.

Surrender of brands.

14. When it appears to the Registrar upon the report of an Inspector or otherwise that a registered brand is not in use he may cause notice to be given to the owner thereof calling upon him to show cause why the same should not be cancelled; and if cause is not shown to the satisfaction of the Registrar within six months after such notice he may cancel the brand.

Disused brands.

15. No brand which has been surrendered or cancelled shall be reallocated until a period of five years from such surrender or cancellation has elapsed.

Interval before
reallocation.

16. In every case in which there shall be a sale or transfer of any cattle branded with a brand registered under this Ordinance other than a reversed brand by a non-native to a native, it shall be the duty of such non-native to immediately brand each head of cattle so sold or transferred with the reverse of his registered brand.

On the sale of
cattle by non-native
to a native the
vendor must brand
cattle with his
registered brand
reversed.

Penalty.

Any person failing to comply with the provisions of this Section shall be liable on conviction to a fine not exceeding seven hundred and fifty Rupees and in default of payment to imprisonment for a term not exceeding three months.

All brokers or auctioneers must register a brand.

17. Every broker or auctioneer of stock shall deliver or transmit to the Registrar an application in the Form in Schedule "F" hereto, accompanied by a fee of five Rupees, for the registration of an auctioneer's brand.

Form of auctioneer's brand.

The Registrar shall allot to every such applicant and shall register a brand which shall consist of such device as the Registrar shall determine to be the common mark of all auctioneer's brands and such one letter and one numeral as shall identify the brand of each particular auctioneer or firm of auctioneers.

Auctioneers to brand cattle the property of a non-native which he may sell to a native. The cost of branding to be paid by the vendor.

18. It shall be the duty of a broker or auctioneer to immediately cause to be branded with his registered brand all cattle the property of a non-native which he may sell to a native. A broker or auctioneer may deduct from the purchase price the sum of twenty-five cents in respect of each head of cattle so branded.

Penalty for breach of Section 18.

19. Any person who shall fail to comply with the provision of the first paragraph of the preceding Section shall be liable on conviction to a fine not exceeding seventy-five Rupees in respect of each head of cattle with regard to which he shall have failed to comply with these provisions.

The Registrar to register a brand for every public pound.

20. The Registrar shall allot a brand to every public pound already or hereafter established and shall register the same. The first character of every such brand shall be a diamond and the second the dominant letter of the district and the third a numeral, the whole to be in one line, and the Poundmaster or other person in charge of a pound shall on the sale of any stock impounded therein brand the same with such brand, and any Poundmaster or other person in charge of a pound who shall fail to comply with the provisions of this Section shall on conviction be liable to a fine not exceeding seven hundred and fifty Rupees and in default of payment to imprisonment for any term not exceeding six months.

The Poundmaster must brand all stock sold out of pound.

Brands of the Veterinary Department to be registered.

21. The Chief Veterinary Officer may register any brand or brands to be used for the purposes of the Veterinary Department on any stock. Such brand or brands may be of any device, provided it is easily distinguishable from any other brand registered under this Ordinance, and may be lawfully used for the purposes of the Veterinary Department on any stock by any person or persons authorised by the Chief Veterinary Officer.

Natives may use distinctive marks to identify the ownership of stock provided that such marks are unlike any registered brand.

22. Nothing in this Ordinance shall be deemed to make it an offence for a native to mark any stock of which he is the owner with a distinctive mark to identify the ownership of such stock, provided that neither letters nor figures form any part of such distinctive mark and that such mark is dissimilar to any registered brand.

The Registrar may prohibit the use of certain distinctive marks.

23. It shall be lawful for the Registrar to prohibit the use by any native of a distinctive mark which in his opinion is similar to any registered brand.

Any native who shall mark any stock with a distinctive mark so prohibited shall on conviction be liable to imprisonment for a term not exceeding six months and his stock so marked may by the order of the Court be confiscated.

MISCELLANEOUS.

The dominant letters of districts to be applied to the brands registered therein.

24. The dominant letter of a brand registered in any district or sub-district shall be that prescribed in Schedule "G" hereto. Provided however the Governor may by Proclamation in the "Gazette" prescribe that some mark or design other than a letter shall be used to signify any district.

The Governor may by Proclamation add any district or sub-district to the said Schedule and may prescribe the dominant letter or mark to be applied to brands registered in such district or sub-district, or may remove any district or sub-district from the Schedule.

Butchers' and dealers' books.

25. Every butcher, poundmaster and auctioneer shall keep a separate book open at all times to inspection by any Inspector of Brands and shall therein truly enter the brands cut or imprinted on every animal slaughtered or sold by him.

Any such person who shall slaughter or dispose of any animals on whose hide any brand cut or imprinted under the provisions of this Ordinance shall appear to have been altered, blotched or defaced, without first reporting the matter in writing to the nearest Inspector of Brands and for 48 hours thereafter, shall on conviction be liable to a fine not exceeding seventy-five rupees per head for every animal so unlawfully slaughtered or disposed of, or to imprisonment for any term not exceeding three months.

26.—(1) Any person who shall slaughter or cause to be slaughtered any stock for sale shall retain or cause to be retained in his possession the hides taken off such animals with the brands or ear marks attached thereto without any alteration, disfiguration or effacement of the brands or marks on such hides or ears for the period of five days.

Preservation of hides.

(2) Any Inspector of Brands or Police Officer may within the period of time mentioned in the last preceding Sub-section demand an inspection of such hides, and upon demand being made the aforesaid person shall produce the same for inspection by the said Inspector of Brands or Police Officer.

(3) Any person contravening any of the provisions of this Section shall be liable upon conviction to a fine not exceeding three hundred and seventy-five rupees and in default of payment to imprisonment for a period not exceeding three months; or to both such fine or such imprisonment.

27. Every Inspector of Brands or Police Officer is hereby empowered to enter on or into any part of any holding or place throughout the Protectorate where stock is kept and to inspect any stock, hides, branding irons or brand and compare the same with the brand certificate and diagram which shall be produced to him; and every such Inspector of Brands or Police Officer may seize any stock and any hides in respect of which the owner has committed any breach of this Ordinance and any branding instrument and any certificate in his possession and may take them before the nearest Magistrate. Any person hindering or impeding any such Officer as aforesaid in the execution of his duty or attempting so to do or refusing to produce any branding iron instrument or certificate or to permit such Officer to inspect any stock shall for every such offence upon conviction be liable to a fine not exceeding one thousand rupees or to imprisonment not exceeding six months or to both.

Inspector may enter any building or place where stock is kept.

28. Every Inspector of Brands (other than a Police Officer) shall keep a copy of the latest issue of the Brands Directory and a copy of such "Gazette" containing the quarterly statement of registered brands not included in such Directory and shall on receipt of a fee of one rupee permit search therein at all reasonable hours.

District Commissioner and other Officials to keep copies of Brands Directory and Gazette containing statements of registered brands.

29. It shall be lawful for the Governor from time to time to make rules prescribing—

Regulations.

- (1) The shape and pattern of branding irons and other marking instruments;
- (2) The persons by whom branding irons and branding instruments may be manufactured and sold;
- (3) The fees and prices payable and forms to be used for any object or purpose that may be deemed necessary for the efficient administration of this Ordinance.

30. Where under the provisions of this Ordinance it may be necessary to give or send any notice the same may be given in any of the following ways:—

Notice how given.

- (1) Personally upon the person to whom the notice is addressed;
- (2) By registered letter sent through the post and directed to the last known place of abode or business in the Protectorate of such person;
- (3) By inserting the notice once in the "Official Gazette."

31. From and after the passing of this Ordinance any person who shall make or offer for sale any branding instrument or tool adapted for the purpose of imprinting marks on stock except in accordance with this Ordinance and the regulations thereunder and similar to or resembling in pattern and size those prescribed under this Ordinance; and any person who shall use or attempt to use or knowingly permit to be used or have in his possession any branding iron or instrument similar to or resembling in pattern and size those prescribed under this Ordinance other than the branding iron which he is entitled to use

Sale of branding instruments.

as herein provided shall on conviction be liable for every such offence to a fine not exceeding one thousand rupees and in default of payment to imprisonment for a period not exceeding six months.

Fraudulently branding the stock of others.

32. If any person shall wilfully brand or imprint with his distinctive mark any stock of which he is not the owner or shall wilfully cause, direct or permit any stock of which he is not the owner to be branded with his brand, such person shall on conviction for every such offence be liable to a fine not exceeding one thousand and five hundred rupees or to imprisonment not exceeding twelve months or to both.

Using unregistered brands and irregularly using registered brands.

33. Any person other than a native who shall brand or direct aid or assist in branding on any stock or any portion thereof any signs, symbols or characters other than those made and registered in accordance with the provisions of this Ordinance shall on conviction for every such offence be liable to a fine not exceeding one thousand rupees and in default of payment to imprisonment for any term not exceeding six months or to both.

Defacing brands.

34. Any person who shall wilfully blotch, deface or otherwise render illegible or alter any brand or distinctive mark upon stock or wilfully direct, cause or permit any such brand or mark to be blotched, defaced or otherwise rendered illegible or altered or be a party thereto shall on conviction for every such offence be liable to a fine not exceeding one thousand rupees or to imprisonment not exceeding six months or to both.

Forged certificate.

35. Any person who—

- (a) Shall knowingly and unlawfully insert or permit to be inserted any false entry or diagram of any matter relating to any brand in any register, certificate, brands directory, quarterly statement or in any extract from any of them ; or
- (b) Shall with intent to defraud, forge, alter, offer, utter, dispose of or put off knowing the same to be forged or altered any such document or extract as aforesaid or which purports to be such ; or
- (c) Shall with intent to defraud wilfully and unlawfully destroy, deface or alter or cause to be destroyed, defaced or altered any such document or extract therefrom ; or
- (d) Shall knowingly and wilfully with intent to defraud use the brand or distinctive mark of any proprietor without his authority shall on conviction for every such offence be liable to imprisonment for a term not exceeding three years.

On trial for theft of stock-brand to be *prima facie* evidence of ownership.

36. On the trial of any person for the theft of any hide or stock or for receiving any such hide or stock or any part thereof knowing or having reason to believe the same to have been stolen, it shall be competent for the prosecution to give evidence that the brand upon the hide or animal alleged to have been stolen is the brand of the person alleged to have been the owner of such hide or animal or of some person through or from whom such owner derived his right to such animal, and a certificate purporting to be under the hand of the Registrar or a copy of the "Gazette" containing the publication of such owner's brand shall constitute *prima facie* proof of the facts therein alleged.

Mutilation so as to remove distinctive mark.

37. In the case of the prosecution of any person for theft of any stock or hide thereof, where the hide is proved to have been mutilated in such a way that any brand or distinctive mark is removed or rendered illegible, the onus of proving that he was the proprietor of such animal or hide shall rest on the accused person.

Other offences.

38. Any person wilfully failing to comply with or offending against the provisions of this Ordinance in any case in which no penalty is imposed hereby ; and any person failing to comply with or offending against any of the provisions of any regulation or rule made under this Ordinance shall on conviction be liable to a fine not exceeding three hundred rupees and in default of payment to imprisonment for a period not exceeding two months.

SCHEDULE A.

DISTRICT BRAND REGISTER.

(The Branding of Stock Ordinance 1907.)

Name of owner in full.	Address.	District for which brand is required.	Brand allotted.	No. of certificate.	Date of registration.

SCHEDULE B.

APPLICATION FOR BRAND.

(The Branding of Stock Ordinance 1907.)

To the Registrar of Brands,

Herewith I/we enclose the prescribed fee of five rupees and request that you will allot and register a brand for the holding or place mentioned in the Schedule below :—

Name of applicant(s) in full.	Address.	District for which brand required.

Fee.....: Rupees.....

Signed.....

Applicant(s)

I/We hereby request that the second letter of my/our brand may be the letter

Signed.....

SCHEDULE C.

(The Branding of Stock Ordinance 1907.)

No.....

.....day of.....

I hereby certify that the brand shewn in the diagram at foot hereof was duly registered on the date and as the brand of the person(s) therein set forth in the Schedule hereto.

Owner(s) full name(s).	Address.	District for which Brand is registered.	Date of registration.

Fee paid.....

Signed.....

Diagram of Brand.

SCHEDULE D.

MEMORANDUM OF TRANSFER OF BRANDS.

(The Branding of Stock Ordinance 1907.)

To the Registrar of Brands,

Sir,

I,....., being the registered owner of the brand set forth in the Schedule hereto and desiring to transfer the same to (name in full of the transferee), of (name of holding or place where brand will be used and postal address thereof), hereby request you will record the same in your register accordingly and I herewith enclose the fee therefor (ten Rupees).

A. B. (owner).....
 Address
 Witness
 C. D. (Transferee)
 Address
 Witness

Brand.	Name and address of previous owner of Brand.	District where Brand is registered.	No. of certificate.	Date of registration.

SCHEDULE E.

CERTIFICATE OF TRANSFER.

(The Branding of Stock Ordinance 1907.)

No.....

Date.....

This is to certify that the brand shewn in the specimen at the foot hereof was
 this day transferred from.....of.....
 to.....of.....

Fee paid.....

Signed.....

District Commissioner.

Diagram of Brand.	Transferee's name and address.	District where Brand is to be used.	No. of certificate.	Date of registration.

SCHEDULE F.

APPLICATION FOR AUCTIONEER'S BRAND.

(The Branding of Stock Ordinance 1907.)

To the Registrar of Brands,

Herewith I/we carrying on business as an auctioneer at.....
enclose the prescribed fee of five Rupees and
 request that you will allot and register an auctioneer's brand to be used by me/us in the
 course of my/our business as auctioneer of stock. I/We request that the letter
may form part of my/our brand.

Signed.....

Applicant(s).

SCHEDULE G.

DOMINANT LETTERS.

(The Branding of Stock Ordinance 1907.)

Dominant letters.	District Denoted.
A	Nairobi.
B	Machakos.
C	Kitui.
E	Kiambu.
F	Malindi.
G	Ravine.
H	Baringo.
J	Fort Hall.
K	Nyeri.
L	Kisumu.
M	Mumias.
P	Nandi.
R	Lamu.
U	Mombasa.
V	Naivasha.
W	Vanga.
Y	Teita.
S	Sotik.
T	Lumbwa.

NOTE.—Permanently reserved : the letters O & I (to be used exclusively as numerals).
 The letters N & Q are unallotted. The letter D is reserved for Government Departments.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 13 OF 1907.

vide Sect 15 04/24

Title TO DEFINE THE POWERS OF THE HIGH COURT AND TO CONSTITUTE AND DEFINE THE POWERS OF COURTS, SUBORDINATE THERETO.

Date. [12th December, 1907.]

Be it enacted by the Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof.

PART I.

GENERAL.

Definitions. 1. IN this Ordinance, unless the context otherwise requires, the following terms shall have the meaning hereby assigned to them:—

“*The High Court*” means His Majesty’s High Court for East Africa as constituted by the East Africa Order-in-Council 1902.

“*Protectorate*” means the East Africa Protectorate.

“*Civil Procedure Code*” means the Indian Code of Civil Procedure as applied to the Protectorate, or any law of civil procedure hereinafter substituted for such code and in force in the Protectorate.

“*Criminal Procedure Code*” means the Indian Code of Criminal Procedure as applied to the Protectorate, or any other law of Criminal Procedure in force in the Protectorate, or any law of Criminal Procedure hereinafter substituted for such code or for such other law.

“*Subordinate Court*” shall, except where inconsistent with the Provisions of this Ordinance, mean any Court subordinate to the High Court.

Constitution of Subordinate Courts. 2. There shall be and are hereby constituted Courts subordinate to the High Court.

Classification of Subordinate Courts. 3. These Courts shall be known as Subordinate Courts of the first class, second class, third class and Subordinate Native Courts.

By whom Courts are held. 4. The Subordinate Judge or Magistrate in the respective Courts shall be by virtue of their office.

Subordinate	{	in a Court of 1st Class	A Provincial Commissioner or a Town Magistrate.
		” ” 2nd ”	A District Commissioner.
		” ” 3rd ”	An Assistant District Commissioner.
Native	{	” ” Liwali	A Liwali.
		” ” Cadi	A Cadi.
		” ” Mudir	A Mudir.

Provided always that, in case of incapacity from illness or of absence of a **Proviso.**
 presiding officer or for any other good and sufficient reason, the Governor may
 by notice in the "Official Gazette" appoint any European officer of the
 Administration to hold a Subordinate Court and any Native officer to hold a
 Subordinate Native Court.

5. The additional powers set forth in the 1st Schedule hereto annexed **Additional**
 may be granted to a Subordinate Judge or Magistrate holding a Subordinate **powers.**
 Court by the Governor on the recommendation of the High Court.

6. The limits within which Subordinate Courts shall exercise their **Limits of**
 jurisdiction shall be as follows, that is to say:— **Jurisdiction of**
Subordinate
Courts.
 A Court of the 1st class. Within the limits of the Province in which it is situated. *or within such a*
 " " 2nd " Within the limits of the District in which it is situated. *as the Governor*
 " " 3rd " Within the limits of the District in which it is situated. *appoints by not*
 A Court of a Liwali. In the Coast Districts within the limits of the District *in the Gazette -*
 " a Cadi. In the Coast Districts within the limits of the District *Ord. 4. 1924*
 " a Mudir. In the Coast Districts within the limits of the District
 in which it is situated.

Provided that where there is more than one Subordinate Court in the
 same District the High Court may direct the distribution of business between
 such Courts.

7. Subordinate Courts shall ordinarily be held at such places as the **Place of sitting.**
 Governor may direct, but should necessity arise they may also be held at any
 other place within the limits of their jurisdiction.

In the absence of any such directions by the Governor they shall continue
 to be held at such places as Courts of a like character have been held hitherto.

8. Subordinate Courts may in any case call in the assistance of one or **Power to call in**
 more assessors to aid them in deciding matters of native law and custom. **assessors.**

9.—(1) All Subordinate Courts shall keep written records and furnish **Records and**
 returns of cases tried by them to the High Court in such manner as the **Returns.**
 High Court may from time to time direct.

(2) A Judge of the High Court shall periodically inspect the records
 of all Subordinate Courts and may give such instruction and advice thereon
 as he may deem necessary.

10.—(1) Nothing herein shall affect the power of the Governor to **Jurisdiction of**
 recognize the jurisdiction of a Tribal Chief or Council of Elders or village **Tribal Chief.**
 Headman or Headmen over the members of his or their tribe or village, or
 the exercise by such Tribal Chief or Council of Elders or village Headman
 or Headmen of such authority as may be vested in him or them by the
 custom of his or their tribe or as may be granted to him or them by the
 Governor. *Repealed &*
replaced by other
provisions.
Ord. 4/1924

(2) Provided that all jurisdiction granted by the Governor under sub-
 section (1) of this section to a Tribal Chief or Council of Elders or village
 Headman or Headmen shall be exercised in accordance with Rules made by
 the Governor hereunder and published in the "Official Gazette."

11. A Subordinate Court may transfer to any recognized Tribal Chief or **Transfer of**
 Council of Elders the determination of any suit or proceeding in such **cases to Tribal**
 Subordinate Court where the parties thereto are natives. **Chiefs.**

12. A Subordinate Court may take such steps as it may think fit to **Enforcement of**
 enforce the orders of any recognized Tribal Chief or Council of Elders or **orders of Tribal**
 village Headman or Headmen within its jurisdiction. **Chiefs.**

13. A Subordinate Court shall exercise supervision over, but shall not **Supervision of**
 unduly interfere with, the procedure, orders or punishments of any tribal **Subordinate**
 authority within its jurisdiction except where such procedure, orders or punish- **Courts over**
 ments are contrary to justice or morality or the laws in force for the time **Tribal authority.**
 being within the Protectorate.

14. Subject to the provisions of this Ordinance and to Rules of Court, **Procedure.**
 all Courts shall follow the principles of procedure laid down in the Civil and
 Criminal Procedure Codes so far as the same may be applicable and suitable.

15. The High Court shall have the same power to deal with cases of **contempt of**
 contempt of its authority as the High Court of Justice in Great Britain, and such **Court.**
 power shall extend to the upholding of the authority of Subordinate Courts.

Provided that nothing in this Section shall affect the provisions of the Criminal Procedure Code relating to offences of contempt committed in the face of the Courts.

Seals.

16. All Subordinate Courts shall use seals of such nature and pattern as the Governor may by notice in the "Official Gazette" direct.

PART II.

(CIVIL JURISDICTION.)

High Court.

17. The High Court shall be the principal Court of Original Civil Jurisdiction, and shall exercise general powers of supervision over all Subordinate Courts.

Appeals from High Court to Court of Appeal for Eastern Africa.

18. Unless otherwise expressly provided by this Ordinance or by any law for the time being in force in the Protectorate, an appeal shall lie from the decrees or from any part of the decrees and from the orders of the High Court to the Court of Appeal for Eastern Africa.

Subordinate Courts Civil Jurisdiction.

19. The Subordinate Courts constituted by this Ordinance shall exercise the following jurisdiction in civil matters, that is to say:—

Courts of 1st Class. Full jurisdiction over all persons in all matters in which the value of the subject in dispute does not exceed seven hundred and fifty rupees.

Where the Defendant is a native the limit of jurisdiction shall be one thousand and five hundred rupees.

Courts of 2nd Class. Full jurisdiction over all persons in all matters in which the value of the subject in dispute does not exceed five hundred rupees.

Where the Defendant is a native the limit of jurisdiction shall be one thousand rupees.

Courts of 3rd Class. Full jurisdiction over all persons in all matters in which the value of the subject in dispute does not exceed two hundred and fifty rupees.

Subordinate native Courts.

Courts of Liwalis. Full jurisdiction over natives in all matters in which the value of the subject in dispute does not exceed seven hundred and fifty rupees.

Courts of Cadis. Full jurisdiction over Mohamedan natives in all matters relating to personal status, marriage, inheritance and divorce.

Courts of Mudirs. Full jurisdiction over natives in all matters in which the value of the subject in dispute does not exceed two hundred and fifty rupees.

Mixed cases may be brought in Liwalis' and Mudirs' Courts.

20. Mixed cases, *i.e.*, when the Defendant is a native and the Plaintiff is not, may, subject to the other provisions of this Ordinance, be brought either in a Subordinate Court or in a Subordinate Native Court as the Plaintiff may prefer; but in any action so brought in the Court of a Liwali or Mudir the Court shall have jurisdiction to adjudicate on any counterclaim or set-off raised by the Defendant by way of defence to the action.

Appeals from Subordinate Courts to High Court.

21. Unless when otherwise expressly provided by this Ordinance or by any law for the time being in force in the Protectorate, an appeal shall lie from the decrees or from any part of the decrees, and from the orders of all Subordinate Courts other than Cadis' Courts to the High Court.

Appeals from Cadis' Courts to High Court with Sheikh-ul-Islam.

22. Appeals from Cadis' Courts shall lie to the High Court with the Sheikh-ul-Islam or Chief Cadi as assessor.

Appeals shall be heard by one Judge except when the Principal Judge shall otherwise order.

23. Appeals from Subordinate Courts shall be heard by one Judge of the High Court except when in any particular case the Principal Judge shall direct that the appeal be heard by two or more Judges of the High Court; such direction may be given before the hearing of the appeal or at any time before judgment is delivered.

If Judges disagree.

24. In the event of an appeal being heard by two Judges who disagree the Judgment shall follow the finding of the Senior Judge.

Power to refer to High Court.

25. Any Subordinate Court may at the request of the parties or of its own motion refer to the High Court for its decision any question of law or usage having the force of law or the construction of a document which construction may affect the merits of the case, provided always that any such reference shall not affect the rights of the parties to appeals on any other ground than that so referred.

PART III.

CRIMINAL JURISDICTION.

26. The High Court may pass any sentence authorised by law. Powers of High Court.
27. The High Court may call for and examine the records of any Criminal proceedings before any Subordinate Court for the purpose of satisfying itself as to the correctness, legality or propriety of any finding, sentence or order recorded or passed, and as to the regularity of any proceeding of such Subordinate Court. Power of High Court to call for records.
- 28.—(1) In the case of any proceeding the record of which has been called for by itself or which has been reported for orders or which has otherwise come to its knowledge, the High Court may in its discretion exercise any of the powers conferred on it, when hearing appeals from a Subordinate Court by Section 39 of this Ordinance, and may enhance the sentence. Procedure in revision.
- (2) No orders under this Section shall be made to the prejudice of the accused unless he has had an opportunity of being heard either personally or by pleader in his own defence.
- (3) Nothing in this Section shall be deemed to authorise the High Court to convert a finding of acquittal into one of conviction.
- (4) Where the sentence dealt with under this Section has been passed by a Subordinate Court, the High Court shall not inflict a greater punishment for the offence which in the opinion of such Court the accused has committed than might have been inflicted by a Magistrate holding a Subordinate Court of the first class in such case.
29. When a case is revised by the High Court it shall certify its decision or order to the Court by which the finding, sentence or order so revised was recorded or passed, and the Court to whom the decision or order is so certified shall thereupon make such orders as are conformable to the decision so certified, and if necessary the record shall be amended in accordance therewith. Certifying order of revision.
30. Magistrates holding Subordinate Courts of the first, second and third class shall when the accused is a non-native have the powers hereinafter respectively conferred upon them specified in the second Schedule to this Ordinance. Jurisdiction of Subordinate Courts over non-natives.
31. A Subordinate Court may commit for trial to the High Court all cases which under the Criminal Procedure Code may be committed for trial to the High Court or Court of Sessions. Power to commit for trial.
32. Except where otherwise expressly provided by law any person committed for trial to the High Court shall be tried by a Judge of the High Court sitting with not less than three assessors. Trial by High Court with assessors.
33. Magistrates holding Subordinate Courts of the first, second and third class shall have full jurisdiction over natives. "Subordinate Court" Jurisdiction over natives.
- Provided that cases of offences against the State, and cases of culpable homicide and murder and dacoity with murder, and attempt and abetment of such offences shall be committed for trial to the High Court and provided that no Magistrate holding a Subordinate Court of the third class shall pass a sentence exceeding six months' imprisonment of either description or a fine of two hundred rupees or both.
- 34.—(1) Subordinate Courts of the first or second class and Liwalis' Courts may, when the accused is a native, impose a sentence of whipping not exceeding 24 lashes in addition or in lieu of any other punishment prescribed by law. Power to whip natives.
- (2) A sentence of whipping shall not be inflicted except in the presence of a Medical Officer of the Protectorate, or if no Medical Officer is available in the presence of a Magistrate, nor before such Officer or Magistrate has after the examination of the prisoner certified that he is physically fit to undergo the sentence imposed upon him.
- (3) The Medical Officer or Magistrate may at any time during the execution of a sentence of whipping intervene and prohibit the remainder of the sentence being carried out if he considers the prisoner unable to bear it without risk of serious physical injury.
- (4) No sentence of whipping shall be carried out in instalments.
- (5) The instruments used in whipping shall be such as the Governor from time to time may direct.

(6) Subject to the provisions of Sub-section 2 of this Section any sentence of whipping passed or imposed shall not be inflicted in a case which is subject to appeal until 15 days from the date of the sentence, or, if an appeal is made within that time, until the sentence is confirmed by the Appellate Court, but the whipping shall be inflicted as soon as possible after the expiry of such 15 days, or, in the case of an appeal, after receipt of the order of the Appellate Court confirming the sentence.

In cases not subject to appeal, any sentence of whipping passed or imposed shall be inflicted as soon as possible after such sentence has been passed or imposed.

Sentences
needing
confirmation by
High Court.

35. No sentence imposed on a native by a Subordinate Court exceeding 12 lashes or six months' imprisonment shall be carried into effect, and no fine exceeding five hundred rupees shall be exacted, until the record of the evidence or a certified copy thereof has been transmitted to, and the sentence confirmed by the High Court.

Liwalis' and
Cadis' Criminal
Jurisdiction.

36. A Court of a Liwali or Cadi shall, subject to the provisions of this Ordinance, have in Criminal proceedings with respect to natives the same powers as a Court of the second class with respect to non-natives.

Mudirs' Criminal
Jurisdiction.

37. A Court of a Mudir shall have in Criminal proceedings with respect to natives the like powers as a Court of the third class with respect to non-natives, but without powers to commit for trial.

Appeals from
Subordinate
Courts.

38.—(1) An appeal shall lie to the High Court from any finding, sentence or order of any Subordinate Court passed or made in the exercise of its Criminal Jurisdiction over non-natives, provided that such finding, sentence or order is appealable under the Criminal Procedure Code. Provided however that an appeal shall lie to the High Court in any case in which a European shall be sentenced by any Subordinate Court to a term of imprisonment exceeding fourteen days or to a fine exceeding fifty rupees or to imprisonment and fine.

(2) An appeal shall lie to the High Court from any finding, sentence or order of any Subordinate Court passed or made in the exercise of its Criminal Jurisdiction over natives provided that such finding, sentence or order would be appealable if made or passed by a Magistrate holding a first-class Subordinate Court exercising his ordinary jurisdiction over non-natives.

Appellate powers
of High Court.

39. The High Court may in the exercise of its Appellate jurisdiction exercise any of the powers conferred upon the High Court or a Court of Appeal by the Criminal Procedure Code and may :—

- (1) Dismiss the appeal ;
- (2) In an appeal from an order of acquittal reverse such order and direct that further enquiries be made, or that the accused be re-tried or committed for trial, as the case may be, or find him guilty and pass sentence on him according to law ;
- (3) In an appeal from a conviction :—
 - (a) Reverse the finding and sentence and acquit or discharge the accused or order the accused to be committed for trial or re-tried by a Court of competent jurisdiction, or
 - (b) Alter the finding maintaining the sentence, or with or without altering the finding reduce the sentence, or
 - (c) With or without such reduction and with or without altering the finding alter the nature of the sentence but not so as to enhance the same.
- (4) In an appeal from any other order alter or reverse such order.
- (5) Make any amendment or any consequential or incidental order that may be just or proper.

Composition of
Courts for the
hearing of
Appeals.

40.—(1) All proceedings before the High Court in the exercise of its appellate jurisdiction in criminal matters shall be heard by not less than two Judges.

(2) All proceedings before the High Court in the exercise of its revisional jurisdiction in criminal matters may be heard and any order thereon may be made or passed by one Judge.

Appeals from
High Court in
the exercise of
its original Juris-
diction to Court
of Appeal for
Eastern Africa.

41.—(1) An appeal shall lie to the Court of Appeal for Eastern Africa from any finding, sentence or order recorded or passed by the High Court in the exercise of its original criminal jurisdiction.

Provided that such finding, sentence or order is appealable under the Criminal Procedure Code.

(2) The Court of Appeal for Eastern Africa shall not have any power of revision or appeal over or from any finding, sentence or order recorded or passed by the High Court in the exercise of its Criminal jurisdiction other than that provided by Sub-Section 1 of this Section. Except in cases in which the High Court has convicted on an appeal from an acquittal.

42. The Regulations, Rules and Ordinances specified in Schedule 3 annexed hereto shall be repealed to the extent specified in such Schedule. Repeals.

43.—(1) Any action or proceedings begun in any Court constituted under any Ordinance, Regulation or Order repealed by this Ordinance, or ceasing to have jurisdiction on the commencement of this Ordinance, and pending at the commencement of this Ordinance may be continued and concluded by such Court as if this Ordinance had not been made, and every such Court is hereby authorised and empowered to do any act or thing or to make or give any order, judgment, decree or award in such action or proceedings begun as aforesaid which might have been done, made or given by such Court before the passing of this Ordinance. Actions and proceedings begun before the commencement of this Ordinance to be continued and concluded as if this Ordinance had not been made.

(2) All the powers and duties conferred and imposed upon a District Court or a Special Court by or under the Abolition of the Legal Status of Slavery Ordinance 1907 are hereby transferred to and shall be performed by a Subordinate Court of the Second Class.

44. This Ordinance may be cited as the Courts Ordinance 1907.

Short title.

SCHEDULE I.

ADDITIONAL POWERS.

I.—CIVIL.

A Judge of a First Class Subordinate Court may be invested with the powers in Bankruptcy conferred by Chapter XX of the Civil Procedure Code.

A Judge of a First Class Subordinate Court when a Town Magistrate, may be invested with increased Civil Jurisdiction in non-native cases to any sum not exceeding one thousand and five hundred rupees.

II.—CRIMINAL.

(1) Powers with which a Magistrate holding a First Class Subordinate Court may be invested by the Governor.	}	The additional powers with which a Magistrate of the First Class may be invested under the provisions of the Criminal Procedure Code 1898, Section 37, as applied to the Protectorate.
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(2) Powers with which a Magistrate holding a Second Class Subordinate Court may be invested by the Governor.	}	The additional powers with which a Magistrate of the Second Class may be invested under the provisions of the Criminal Procedure Code 1898, Section 37, as applied to the Protectorate.
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(3) Powers with which a Magistrate holding a Third Class Subordinate Court may be invested by the Governor.	}	The additional powers with which a Magistrate of the Third Class may be invested under the provisions of the Criminal Procedure Code 1898, Section 37, as applied to the Protectorate.
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III.—GENERAL.

A Judge or Magistrate holding a First or Second Class Subordinate Court may be invested with the power to call for and examine records of native Subordinate Courts exercising jurisdiction in the same Province or District.

SCHEDULE II.

ORDINARY CRIMINAL POWERS.

Magistrates holding Subordinate Courts of the First, Second or Third Class shall respectively exercise the ordinary powers of Magistrates of the First, Second or Third Class under the Criminal Procedure Code 1898 as applied to the Protectorate, save in so far as such powers are modified by any law or Criminal Procedure in force for the time being, and save as aforesaid may pass the following sentences, namely :—

(1) A Magistrate holding a Subordinate Court of the First Class.	}	Imprisonment for a term not exceeding two years including such solitary confinement as is authorised by law. Fine not exceeding one thousand rupees. Whipping.
(2) A Magistrate holding a Subordinate Court of the Second Class.	}	Imprisonment for a term not exceeding six months including such solitary confinement as is authorised by law. Fine not exceeding two hundred rupees. Provided that no sentence exceeding one month's imprisonment or a fine of fifty rupees be inflicted on a European.
(3) A Magistrate holding a Subordinate Court of the Third Class.	}	Imprisonment for a term not exceeding one month. Fine not exceeding fifty rupees.

Provided that Magistrates holding a Subordinate Court of the Third Class shall not have jurisdiction to try Europeans but may take cognizance of an offence committed by a European in any case in which they could take cognizance of a like offence if committed by another person but so that if any such Magistrate issue process for the purpose of compelling the appearance of any European accused of an offence such process shall be made returnable before a Magistrate having jurisdiction to enquire into or try the case.

SCHEDULE III.

Ordinance, Regulation and Notice repealed.	Extent of Repeal.
The Native Courts Regulations 1897 (No. 15 of 1897)	The whole.
Notification respecting limits of Jurisdiction of Judges and Magistrates (No. 1 of 1900)	The whole.
Notice respecting the ordinary jurisdiction of Protectorate Officers in Civil cases (No. 4 of 1900)	The whole.
The Village Headmen Ordinance 1902 (No. 22 of 1902)	Section 6.
The Appeals Ordinance 1902 (No. 28 of 1902)	The whole.
The East Africa Native Courts Amendment Ordinance 1902 (No. 31 of 1902)	The whole.
The East Africa Native Courts (Amendment) Ordinance 1903 (No. 11 of 1903)	The whole.
The Native (Special) Courts Amendment Ordinance 1904	The whole.
The East Africa Native Courts Amendment Ordinance 1905 (No. 13 of 1905)	The whole.
The Bombay Civil Court Act 1869 as applied to the East Africa Protectorate by the East Africa Order-in-Council 1897	The whole.
Provincial Small Cause Courts Act 1887 (Indian Act No. 9 of 1887 as applied by the East Africa Order-in-Council 1897)	The whole.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 14 OF 1907.

TO AMEND THE CRIMINAL PROCEDURE ORDINANCE 1906.

Title.

[12th December, 1907.]

Date.

1. This Ordinance may be cited as "The Criminal Procedure Ordinance 1907" and shall be read as one with "The Criminal Procedure Ordinance 1906" hereinafter referred to as the Principal Ordinance.

Short title.

2.—(1) Save as hereinafter provided every case in which a European or American shall appear before a Magistrate accused of any offence punishable with imprisonment which may exceed six months shall be committed for trial to the High Court.

Europeans and Americans charged with offences punishable with imprisonment exceeding six months to be tried by High Court.

(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.

3. Notwithstanding anything in the preceding Section contained a Magistrate may try and pass sentence according to law upon a European or American in any of the following cases:—

Except in the following cases.

(a) If the maximum term of imprisonment prescribed by law as a punishment for the offence alleged does not exceed two years and the Magistrate after hearing the evidence for the prosecution is of opinion that the person accused would be adequately punished for the offence by a fine or by imprisonment for a term not exceeding six months with or without a fine and the person accused shall consent to be tried by such Magistrate.

(b) If after investigating any case in which a person is accused of an offence punishable with imprisonment which may exceed six months the Magistrate considers for reasons to be recorded by him that there is not evidence of the commission of the alleged offence but that there is evidence against the accused of a lesser offence the punishment for which does not exceed imprisonment for six months with or without a fine.

Provided, however, a Magistrate shall not in either such case impose a sentence of imprisonment for a term exceeding six months.

4.—(1) Unless the Magistrate has reason to believe that any person brought before him is not a European or American the Magistrate shall ask such person whether he is a European or American.

Failure to claim to be dealt with as a European a waiver.

(2) If a person does not claim to be a European or American when before the Magistrate by whom he is tried or by whom he is committed for trial, or if when such claim has been made 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 a European or American and shall not assert it at any subsequent stage of the same case.

5. Whenever in the Principal Ordinance there shall appear the words "Court of Sessions" there shall be substituted therefor the words "High Court."

High Court to be substituted for Court of Sessions in Principal Ordinance.

6. In this Ordinance "imprisonment" shall mean imprisonment with or without hard labour.

Definition.

7. Sections 1 and 6 of the Principal Ordinance are hereby repealed.

Repeals.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 15 OF 1907.

Title. TO MAKE BETTER PROVISION FOR REGULATING THE MANUFACTURE AND SALE OF NATIVE INTOXICATING LIQUORS.

Date. [December 18th, 1907.]

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

Definition. 1. In this Ordinance "Native Intoxicating Liquor" means palm wine (Tembo tamu and tembo kali), pombe, fermented asali and all other native intoxicating liquors.

The sale of native liquor prohibited except as authorized by this Ordinance. 2.—(1) Save as hereinafter provided no person shall sell any native intoxicating liquor except he has first taken out a licence from the District Commissioner the charge for which shall be thirty rupees per annum.

(2) Such licence shall authorize the holder to sell native intoxicating liquor on such premises only as the District Commissioner shall approve and shall specify on the licence.

Tax on trees tapped for tembo.

3.—(1) The owner of any tree tapped for palm wine shall pay a tax of one rupee per annum for every tree tapped.

Licences required by persons making fermented asali.

(2) The making of fermented asali for sale is prohibited except the persons making the same shall be licensed by the District Commissioner. There shall be paid for every such licence the sum of twenty-five rupees per annum.

Persons authorized to sell to licensed dealers.

4. A person who has paid a tax under Section 3 (1) or has obtained a licence under Section 3 (2) may without a licence sell palm wine or asali respectively to a person licensed under Section 2.

No sale in a dwelling house.

5. No premises licensed for the sale of native intoxicating liquors shall be used as a dwelling house.

The discretion of licensing Officer unlimited.

6. The District Commissioner may refuse to grant a licence in respect of any premises or to any person.

Power to search unlicensed premises.

7. Any Magistrate or Police Officer of or above the rank of an Inspector and any other Police Officer having special written authority from a Magistrate or Police Officer of or above the rank of an Inspector may at any hour enter any unlicensed premises in which he suspects an illicit sale of native intoxicating liquors and may take into custody all persons found therein, and may take possession of all liquor found therein, and all persons taken into custody shall be brought before a Magistrate as soon as possible or may be admitted to bail, and upon conviction all such liquors found therein shall be forfeited.

Power to enter licensed premises.

8. Any Officer of Police may enter any licensed premises at any time when he has reasonable grounds for believing that liquor is being sold on such premises contrary to the provisions of this Ordinance.

Hours for sale of liquor.

9. No native intoxicating liquor shall be sold on any licensed premises except between the hours of 6.30 a.m. and 9 p.m.

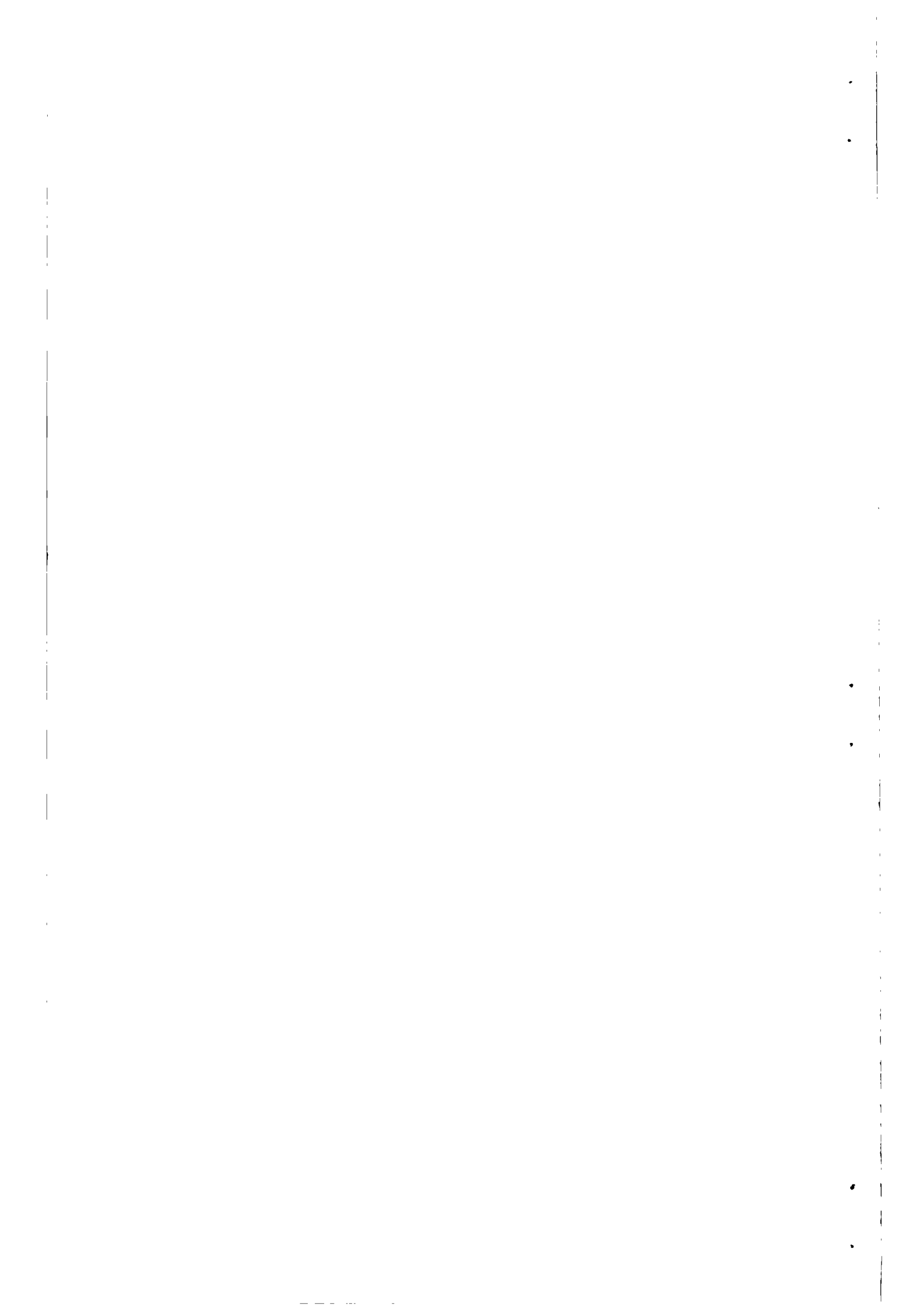
Only natives of Africa may be licensed to sell native liquors.

10. No person other than a person of African extraction shall hold a licence under this Ordinance.

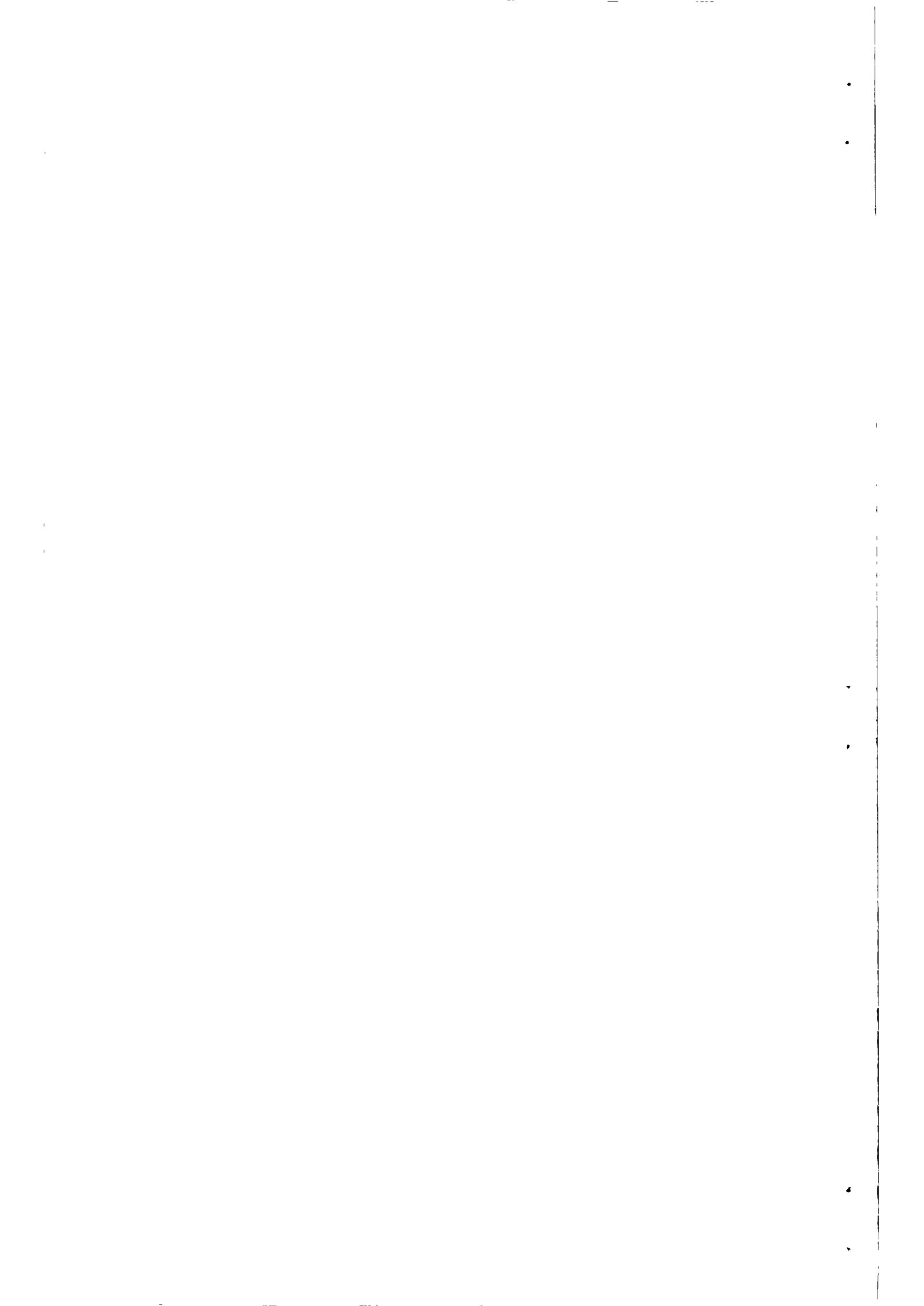
Prohibition of sale to intoxicated persons.

11. No licensed person shall supply any native intoxicating liquor to an intoxicated person or allow drunkenness upon his licensed premises.

12. Every licence granted under this Ordinance shall expire on the 31st day of December of the year in which it was issued. Licences to expire on 31st December.
13. A licence to sell native intoxicating liquor shall not be transferred from one person to another person or from one premises to other premises except with the consent of the District Commissioner and on payment to the Government of a fee of five Rupees. Licence not to be transferred without sanction.
14. Save as provided by Section 4 of this Ordinance any unlicensed person who shall sell native intoxicating liquor and any licensed person who shall sell native intoxicating liquor on premises other than those authorised by his licence shall upon conviction be liable to imprisonment of either description for a term which may extend to twelve months or to a fine up to one thousand Rupees or to both and to forfeiture of any licence under this Ordinance. Penalty.
15. Any person who shall contravene any of the provisions of this Ordinance shall, where other provision is not made by this Ordinance, be liable to a term of imprisonment of either description, which may extend to six months, or to a fine not exceeding five hundred Rupees or to both and to forfeiture of any licence under this Ordinance. Penalties.
16. In this Ordinance the words "sale" and "sell" shall include "barter." Sale to include barter.
17. Any Officer of the Government duly appointed on that behalf may enter upon any land for the purpose of counting and examining the trees thereon for the purposes of this Ordinance. Officers authorised to enter upon private land for purposes of this Ordinance.
18. In any Township or Municipality in which an area has been set apart as a native location a licence under Section 2 of this Ordinance shall not be issued in respect of any premises not situate in such native location. Licences in native locations.
19. A District Commissioner may issue a special licence authorising the person named therein to sell native intoxicating liquor on premises mentioned in such licence during the hours specified therein but not exceeding in all 24 hours. There shall be paid in respect of every such licence a fee of two Rupees. Special licences.
20. The Native Liquors Regulations of 1900 and the Native Liquor (Licences) Ordinance 1905 are hereby repealed. Repeal.
21. This Ordinance may be cited as "The East Africa Native Liquor Ordinance 1907" and shall come into force on 31st day of December 1907. Provided however that the Governor may by a Proclamation postpone the operation of the provisions of this Ordinance in so far as they relate to the imposition of a tax on trees tapped for tembo for a period not exceeding twelve months from the 31st day of December 1907. Short title.



APPENDIX.



EAST AFRICA PROTECTORATE.

RULES.

Rules made by the Acting Commissioner for the East Africa Protectorate in exercise of the powers conferred upon him by Section 4 of the Electricity Act 1887.

Mombasa,
Dated 31st day of December, 1906.

F. J. JACKSON,
Acting Commissioner.

1. Rule 13 of the rules made under the Electricity Act 1887 is hereby repealed in so far as it relates to the Township of Nairobi and these rules shall be substituted therefor.
2. All wires carrying voltage of 250 or over must be treated as mains.
3. All mains must be protected by a cradle, the breadth of which cradle must be in proportion of 3 to 1 to breadth of mains on the straight and 6 to 1 on curves.
4. The cross wires of the cradle must be from 12 to 15 feet apart.
5. All iron poles carrying mains must be incased in hard wood up to 12 feet in height and painted red; this casing must be impervious to damp and white ants. All stays to main poles must be incased in the same manner.

RULES.

Rules issued by the Acting Commissioner for the East Africa Protectorate under the provisions of the East Africa Townships Ordinance 1903 for the Townships of Naivasha and Nakuru.

1. The following fees in lieu of the ordinary rates leviable on buildings shall from the first day of January 1907 be levied in Naivasha and Nakuru Townships and shall be payable by the occupier:—

- (a) A fee of Rs. 2/- per mensem in respect of each single bucket latrine, or privy, attached to a dwelling house, shop, hotel or other building.
- (b) A fee of four annas per mensem in respect of each native hut occupied by one family, which shall be erected within the area.

Mombasa,
Dated the 21st day of December, 1906.

F. J. JACKSON,
Acting Commissioner.

NOTICE.

UNDER THE LAND ACQUISITION ACT 1894.

WHEREAS certain persons claim to have a legal title to portions of that strip of land extending from Ras Muaka Sinje to a point about one mile down the coast and lying between the sea and the Government land and WHEREAS it is necessary that the said strip of land should be acquired by the Government for a public purpose.

It is hereby declared that the Government do require for the purpose of providing for the defence of the approach to the harbours of Mombasa and Kilindini all that piece or strip of land in the district of Mombasa extending for one mile down the coast from Ras Muaka Sinje and lying between the sea shore and the Government land and containing 528,000 square yards or thereabouts.

Nairobi,
Dated this 15th day of January, 1907.

F. J. JACKSON,
Acting Commissioner.

NOTICE.

NATIVE LIQUORS REGULATIONS, 1900.

Notice is hereby given that the Native Liquors Regulations, 1900, are from the date of publication of this notice applied to the Township of Kisumu.

Nairobi,
January 21st, 1907.

F. J. JACKSON,
Acting 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 that the whole of the Tana River District in the Province of Tanaland North of Ngao is a closed District for the purpose of the aforesaid Ordinance and I hereby further declare that the rules dated the 30th day of May 1906 and made under the aforesaid Ordinance shall apply to the said District.

Nairobi,
28th day of January, 1907.

F. J. JACKSON,
Acting Commissioner.

PROCLAMATION.

UNDER THE EAST AFRICA MINING REGULATIONS, 1902.

In pursuance of the powers conferred upon me by the East Africa Mining Regulations, 1902, I hereby declare that the land within the area of the Township of Nairobi is exempt from the operations of the said Regulations.

Nairobi,
This 31st day of January, 1907.

F. J. JACKSON,
Acting Commissioner.

PROCLAMATION.

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 any live rabbits from any country, port, or territory whatsoever and I hereby declare that this Proclamation shall be construed and read as if every country, port and territory were particularly specified in this Proclamation.

Nairobi,
Dated this 31st day of January, 1907.

F. J. JACKSON,
Acting Commissioner.

ERRATUM.

Official Gazette of January 15th, page 15 Ordinance No. 1 of 1907. Section 1, line 1. For "Diseases of Animals Amendment Ordinance, 1906" read "Diseases of Animals Amendment Ordinance, 1907."

RULES

Issued by the Acting Commissioner for the East Africa Protectorate under the provisions of the East Africa Outlying Districts Ordinance 1902.

Nairobi,
This 7th day of February, 1907.

F. J. JACKSON,
Acting Commissioner.

Cancelled vide Govt Order No. 88 of 28.2.1907 O.G. page 255
1. The rules issued under the Outlying Districts Ordinance 1902 and dated the 30th day of May 1906 shall apply to every closed district or part of a closed district within the meaning of the said Ordinance other than the area defined in the Schedule hereto.

2. Rule 2 of the Rules issued under the said Ordinance and dated the 26th day of October 1905 is hereby cancelled.

SCHEDULE.

All the territory to the North of a line drawn from the South-east corner of Lake Rudolf to the Western flanks of Mount Nyiro Southwards along the edge of the Laikipia Escarpment to the caravan track from Mugutan Station to Rumuruti thence along this track to Rumuruti Station thence along the Guaso Narok and Nyiro Rivers to the Lorian Swamp and from the Lorian Swamp in a direct line North-east to Bardera.

PROCLAMATION.

UNDER THE EAST AFRICA MINING REGULATIONS 1902.

In pursuance of the powers conferred upon me by the East Africa Mining Regulations 1902 I hereby declare that the land within the area of every Township proclaimed under the East Africa Townships Ordinance 1903 is exempt from the operation of the said Regulations.

Nairobi,
This 7th day of February, 1907.

F. J. JACKSON,
Acting Commissioner.

ORDER CONFERRING ON CERTAIN SUB-COMMISSIONERS THE
POWER TO HOLD INQUESTS.

In exercise of the powers conferred upon me by the Indian Act V of 1898 (Code of Criminal Procedure) I hereby confer upon all Sub-Commissioners of the Protectorate who have been appointed Magistrates of the first class under the Code the additional power with which a Magistrate of the first class may be invested by the Local Government under Schedule IV No. 6 of the said Code namely power to hold inquests Section 174.

Nairobi,
4th February, 1907.

F. J. JACKSON,
Acting Commissioner.

PROCLAMATION UNDER THE DISEASES OF ANIMALS
ORDINANCE 1906.

Whereas an outbreak of Rinderpest has occurred in the area between the Rivers Dodori and Bubushi in the Tanaland Province, in pursuance of the powers conferred upon me by Section 4 of the Diseases of Animals Ordinance 1906 I hereby declare the afore-mentioned area to be an infected area.

Nairobi,
February 14th, 1907.

F. J. JACKSON,
Acting Commissioner.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

Whereas cases of Cattle disease have been reported in the Provinces of Jubaland and Tanaland, I hereby declare the aforesaid Provinces to be an infected area within the meaning of the Diseases of Animals Ordinance 1906.

Nairobi,
February 23rd, 1907.

F. J. JACKSON,
Acting Commissioner.

PROCLAMATION.

In pursuance of the powers conferred upon me by the East Africa and Uganda (Currency) Order in Council 1905 and the East Africa and Uganda (Currency) Order in Council 1906, I, Fredrick John Jackson, C.B., C.M.G., His Majesty's Acting Commissioner for the East Africa Protectorate, do hereby with the approval of the Treasury and His Majesty's Secretary of State for the Colonies direct that the aforesaid Orders in Council shall, save in so far as they have already been put into operation in the Protectorate, come into operation in the Protectorate on the first day of April 1907, and declare that the equivalent of the subordinate currency of British India and of the legal subordinate currency established by those orders shall be as follows:—

		0	1 pice.	2 pice.	3 pice.
Rs.	As.	Cents.	Cents.	Cents.	Cents.
0	0	0	2	3	5
0	1	6	8	9	11
0	2	12	14	15	17
0	3	19	20	22	23
0	4	25	27	28	30
0	5	31	33	34	36
0	6	37	39	40	42
0	7	44	45	47	48
0	8	50	52	53	55
0	9	56	58	59	61
0	10	62	64	65	67
0	11	69	70	72	73
0	12	75	77	78	80
0	13	81	83	84	86
0	14	87	89	90	92
0	15	94	95	97	98
1		100			

Nairobi,
15th day of March, 1907.

F. J. JACKSON,
Acting Commissioner.

NOTICE.

Notice is hereby given that Sub-Commissioners have been appointed Superintendents of the prisons within their Provinces and Collectors, other than the Collector of Mombasa, Deputy Superintendents of the prisons within their Districts.

Nairobi,
March 11th, 1907.

F. J. JACKSON,
Acting Commissioner.

NOTICE.

SURVEY AND LAND DEPARTMENT.

The public notice *re* grazing and agricultural land published in the "Official Gazette" dated 19th July 1904 and signed by the Acting Land Officer is hereby cancelled.

Nairobi,
Dated the 14th day of March, 1907.

F. J. JACKSON,
Acting Commissioner.

MINING RULE.

RULE issued by the Acting Commissioner of the East Africa Protectorate under the East Africa Mining Regulations 1902.

Nairobi,
Dated this 21st day of March, 1907.

F. J. JACKSON,
Acting Commissioner.

1. Rules 2 to 4c inclusive and 6, 8, 10 and 11 and Schedules A B and C of the General Mining Rules 1902 are hereby cancelled.

2. Any prospector who shall prove to the satisfaction of the Commissioner of Mines or other prescribed Officer that he is the owner of a prospecting area may register such prospecting area at the office of such officer.

F. J. JACKSON,
Acting Commissioner.

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 until such time as this Proclamation shall be withdrawn the importation or introduction into the East Africa Protectorate of any cattle from German East Africa except under the conditions following:—

1. Cattle may be imported through the port of Karungu only.
2. All cattle must be accompanied by a certificate from a Veterinary or administrative officer of German East Africa certifying that the cattle have come from an area free from cattle disease and have not since leaving such area passed through an infected area.
3. Cattle will be required to undergo quarantine at Karungu for a period of one month, to be disinfected in such manner as the Veterinary Officer requires, and to be branded on the near side of the neck with the letters P. G. Q.
4. Any cattle so imported found to be suffering from disease will be destroyed.
5. Importers of cattle must notify the Veterinary Officer Kisumu and the Chief Veterinary Officer two weeks before the intended arrival of the cattle at Karungu.

The Proclamation dated December 23rd 1905 prohibiting the importation of cattle from German East Africa is hereby cancelled.

Nairobi,
March 21st, 1907.

F. J. JACKSON,
Acting Commissioner.

NOTICE.

REGARDING SITES BOARDS.

Except where there is a Municipal Committee which has the power to dispose of the land of the Municipality, the composition of Sites Boards shall be as follows, whenever the European Staff in a station admits of it

- President.
- The Sub-Commissioner.
- Members.
- The Land Officer.
- The Executive Engineer, P. W. D.
- The Medical Officer of Health.

The Sub-Commissioner may be represented by the Collector, the Land Officer by an officer of his own department or of the Cadastral Branch of the Survey Department, the Executive Engineer by another officer of the Public Works Department, and the Medical Officer of Health by a Medical Officer to be nominated by the Principal Medical Officer.

The Commissioner will also nominate two non-official members who will be invited to attend the meetings of the board to discuss questions in which the general public is concerned.

The findings of all Sites Boards are subject to the approval of the Commissioner of Lands.

Nairobi,
March 22nd, 1907.

F. J. JACKSON,
Acting Commissioner.

NOTICE.

Notice is hereby given that the German Consular jurisdiction in the East Africa Protectorate has been transferred to the British Court.

Nairobi,
March 15th, 1907.

F. J. JACKSON,
Acting Commissioner.

HIS MAJESTY'S HIGH COURT OF EAST AFRICA.

Rules framed 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. 1 OF 1907.

(1) These Rules may be cited as Rules of Court (Juries) No. 1 of 1907.

(2) In every case triable by Jury in which the prescribed punishment involves death or transportation for life the Jurors shall be kept together during the trial by such officer as the presiding Judge may appoint for that purpose and in every other case triable by Jury it shall be in the discretion of the presiding Judge whether the Jurors shall be kept together in the manner aforesaid or shall be allowed to return to their respective homes.

Approved :

F. J. JACKSON,
Acting Commissioner.

Nairobi,
The 26th day of March, 1907.

Mombasa,
The 25th day of March, 1907.

R. W. HAMILTON,
J. W. BARTH,
A. T. B. CARTER,
Judges of the High Court.

NOTICE.

Under the powers vested in me by Article 24 (d) of the Prisons Regulations 1902 I hereby appoint the Inspector-General of Police to be a Visiting Justice of all gaols in the East Africa Protectorate.

Nairobi,
March 27th, 1907.

F. J. JACKSON,
Acting Commissioner.

TOWNSHIP RULE.

Rule issued by the Acting Commissioner under the Township Ordinance 1903.

Nairobi,
March 30th, 1907.

F. J. JACKSON,
Acting Commissioner.

1. Any person found drunk and incapable in any street or other public place, whether a building or not, or on any licensed premises, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding Rupees ten, and on a second conviction within twelve months to a fine not exceeding Rupees twenty, and on a third or subsequent conviction within such period of twelve months to a fine not exceeding Rupees forty.

2. Rule 1 of these rules shall apply to every Township proclaimed under the East Africa Townships Ordinance 1903, and an offence under that rule shall be cognizable by the police.

Nairobi,
March 30th, 1907.

F. J. JACKSON,
Acting Commissioner.

INLAND TELEGRAMS.

REVISION OF CHARGES.

It is hereby notified that on and from the 1st day of April 1907 the system of transmitting the names and addresses of the receivers and the names of the senders of inland telegrams free of charge will be discontinued and a charge of 10 cents per word will be made for the whole message, including names, addresses and text.

In accordance with the foregoing the rates for inland telegrams will be as follows on and from the date given:—

	ORDINARY.		URGENT.	
	Rate in cental currency.	Rate in rupees and annas.	Rate in cental currency.	Rate in rupees and annas.
Not exceeding				
10 words ...	Re. 1 0 cents	Re. 1 0	Rs. 2 0 cents	Rs. 2 0
11 " ...	" 1 10 "	" 1 1 $\frac{1}{2}$	" 2 20 "	" 2 3
12 " ...	" 1 20 "	" 1 3 $\frac{1}{2}$	" 2 40 "	" 2 6 $\frac{1}{2}$
13 " ...	" 1 30 "	" 1 5	" 2 60 "	" 2 9 $\frac{1}{2}$
14 " ...	" 1 40 "	" 1 6 $\frac{1}{2}$	" 2 80 "	" 2 13 $\frac{1}{2}$
15 " ...	" 1 50 "	" 1 8	" 3 0 "	" 3 0
16 " ...	" 1 60 "	" 1 9 $\frac{1}{2}$	" 3 20 "	" 3 3
17 " ...	" 1 70 "	" 1 11	" 3 40 "	" 3 6 $\frac{1}{2}$
18 " ...	" 1 80 "	" 1 13	" 3 60 "	" 3 9 $\frac{1}{2}$
19 " ...	" 1 90 "	" 1 14 $\frac{1}{2}$	" 3 80 "	" 3 13 $\frac{1}{2}$
20 " ...	" 2 0 "	" 2 0	" 4 0 "	" 4 0

And so on, longer messages being charged for at the same rate.

Nairobi,
March 28th, 1907.

F. J. JACKSON,
Acting Commissioner.

REVISION OF CABLE RATES.

It is hereby notified that on and from the 1st day of April 1907 the charge for cablegrams forwarded from stations on the mainland of British East Africa will be revised, and in some cases reduced by approximately 5 cents per word; the following rates will be charged for cablegrams sent to the undermentioned places:—

FROM UP-COUNTRY STATIONS.

To.	Rate per word in cental currency.	Equivalent to be charged in rupees and annas until cental coins are in circulation.
United Kingdom and Continent of Europe ...	Rs. 2 06 cents	Rs. 2- 1
India ...	" 2 18 "	" 2- 3
Cape Colony, Natal, Orange River Colony and Transvaal ...	" 1 75 "	" 1-12
Southern Rhodesia ...	" 1 85 "	" 1-13 $\frac{1}{2}$
North America (according to destination) from ...	" 2 85 "	" 2-13 $\frac{1}{2}$
German East Africa (except Bismarkburg and Ujiji) ...	" 0 70 "	" 0-11
Bismarkburg and Ujiji ...	" 2 18 "	" 2- 3
Zanzibar ...	" 0 60 "	" 0- 9 $\frac{1}{2}$

A list showing the rate to countries not mentioned above is being posted at the different Telegraph Offices.

CABLEGRAMS FROM MOMBASA.

On and from the same date the supplementary charge of six annas per message hitherto levied on cablegrams forwarded and delivered by the Mombasa Post Office will be discontinued and the rates revised in accordance with a list approved by me which is posted at the Mombasa Post Office. The rates to the principal countries with which cablegrams are exchanged are as follows:—

To	Rate per word in cental currency.	Equivalent to be charged in Rupees and Annas until cental coins are in circulation.
United Kingdom and Continent of Europe	Rs. 1 90 cents	Rs. 1-14½
India	" 2 0 "	" 2-0
Cape Colony, Natal, Orange River Colony and Transvaal	" 1 56 "	" 1-9
Southern Rhodesia	" 1 70 "	" 1-11
North America (according to destination) from	" 2 65 "	" 2-10½
German East Africa (except Bismarkburg and Ujiji) ...	" 0 50 "	" 0-8
Bismarkburg and Ujiji	" 2 0 "	" 2-0
Zanzibar	" 0 40 "	" 0-6½

RE-DIRECTION OF CABLEGRAMS.

On and from the same date the charge for re-direction of cablegrams addressed in the first instance to Mombasa and subsequently re-directed to up-country stations will be reduced to 15 cents per word for which an equivalent of 2½ annas will be charged until the new cental coins are in circulation.

Nairobi,
March 28th, 1907.

F. J. JACKSON,
Acting Commissioner.

TARIFF PER WORD FOR CABLEGRAMS

FROM STATIONS IN B. E. AFRICA (EXCEPT MOMBASA) AND UGANDA.

1ST APRIL 1907.

To	Rate per word in Rupees and Cents.	Equivalent to be charged pending issue of Cental Coinage.	
	Rs. C.	Rs. A.	
EUROPE.			
THE UNITED KINGDOM AND CONTINENT OF EUROPE... ..	2 06	2 1	
AZORES	2 50	2 8	
TURKEY IN ASIA... ..	2 40	2 6½	
" RHODES	} 2 06	2 1	
" CHIO, LEMNOS AND TENEDOS		2 15	
" CYPRUS		2 55	2 2½
" OTHER TURKISH ISLANDS		2 9	
AFRICA.			
NORTH—			
Algeria	2 10	2 1½	
Egypt, Alexandria, Cairo, Suez, Port Said and 1st Region	2 15	2 2½	
" 2nd Region	2 25	2 4	
" 3rd "	1 89	1 13	

To	Rate per word in Rupees and Cents.	Equivalent to be charged pending issue of Cental Coinage.
	Rs. C.	Rs. A.
AFRICA—(continued).		
NORTH—(continued).		
Tangier		
Tripoli		
Tunis... ..	2 10	2 2½
RED SEA PORTS, &c.—		
Abyssinia	1 50	1 8
Aden	0 95	0 15
Djibouti	1 55	1 9
Hedjaz, <i>via</i> Jeddah... ..	2 55	2 9
Italian East Africa—Assab	1 40	1 6½
" " " Massowah and other places... ..	1 45	1 7
Perim	1 30	1 5
Suakim	1 65	1 10½
Yemen, <i>via</i> Sheik Seyd	1 75	1 12
EAST COAST AND ADJACENT ISLANDS—		
German East Africa—Bismarckburg and Ujiji	2 18	2 3
" " " Other places	0 70	0 11
" " " Kilimatinde, Tabora and Mwanza	0 70	0 11
Madagascar and Reunion	1 70	1 11
Mauritius	1 70	1 11
Portuguese East Africa—		
Mozambique Town	1 00	1 0
" Government Stations <i>via</i> Mozambique	1 05	1 1
" " " <i>via</i> Lourenço Marques	1 80	1 13
Lourenço Marques Town	1 75	1 12
Beira Railway Coy.'s Stations	1 95	1 15
District of the Zambesi	2 15	2 2½
Rodrigues	1 70	1 11
Seychelles	0 95	0 15
Zanzibar	0 60	0 9½
SOUTH—		
Cape Colony—Cape Town and Other Places	1 75	1 12
Natal—Durban	1 70	1 11
" Other Places	1 75	1 12
Orange River and Transvaal Colonies	1 75	1 12
Northern Rhodesia and Nyassaland	2 05	2 1
Southern Rhodesia	1 85	1 13½
WEST COAST AND ADJACENT ISLANDS—		
Angola—Benguella	4 00	4 0
" " Government Stations... ..	4 10	4 1½
" Loanda	4 00	4 0
" " Government Stations	4 10	4 1½
" Mossamedes	4 00	4 0
" " Government Stations	4 10	4 1½
Bathurst	3 60	3 9½
Bissao and Bolama, <i>via</i> Aden	5 25	5 4
Bonny	3 60	3 9½
" Government Stations	3 70	3 11
Cameroons	3 70	3 11
Canaries, <i>via</i> Aden	2 45	2 7
" " Cape	3 60	3 9½
Dahomey—Kotonou, &c.		
French Congo—Gaboon and Other Places	3 60	3 9½
" Guinea—Conakry		
" " " Other Stations	3 65	3 10½
German South-West Africa—Swakopmund, &c.	1 90	1 14½
Gold Coast—Accra and Sekondi	3 60	3 9½
" " Other Stations	3 70	3 11
Ivory Coast—Grand Bassam	3 60	3 9½
" " Other Places... ..	3 70	3 11
Lagos	3 60	3 9½
" Government Stations	3 70	3 11
Maderia, <i>via</i> Aden	2 45	2 7
" " Cape	5 05	5 1
Senegal and French Sudan, <i>via</i> Aden	3 00	3 0
" " " " " Cape	3 60	3 9½
Sierra Leone... ..	3 60	3 9½
" " Railway Offices	3 65	3 10½
Togoland, <i>via</i> Kotonou	3 75	3 12
" " Accra	3 85	3 13½
ASCENSION... ..	3 25	3 4
SAINT HELENA	2 50	2 8

To	Rate per word in Rupees and Cents.	Equivalent to be charged pending issue of Cental Coinage.
	Rs. C.	Rs. A.
ASIA.		
ANNAM, <i>via</i> Singapore	3 70	3 11
" " Moulmein	3 55	3 9
BRITISH NORTH BORNEO—Labuan	3 70	3 11
" " " Other Places	3 95	3 15
CHINA—		
Hongkong, Shanghai, Amoi and Foochow from	4 10	4 1½
Canton	4 25	4 4
Macao	4 45	4 7
Other places	3 25	3 4
COCHIN CHINA, <i>via</i> Singapore	3 10	3 1½
" " " Moulmein	1 70	1 11
COCOS-KEELING ISLANDS	5 80	5 13
COREA	3 70	3 11
DUTCH INDIES—Java	4 00	4 0
" " " Other Islands and Dutch Borneo	4 45	4 7
FORMOSA	2 18	2 3
INDIA AND BURMAH	5 35	5 5½
JAPAN	2 30	2 5
CEYLON	2 75	2 12
PERSIA—Including Bushire, <i>via</i> Rhodes	3 10	3 1½
" <i>via</i> Bombay	2 65	2 10½
PERSIAN GULF STATIONS	4 75	4 12
PHILIPPINE ISLANDS—Luzon	5 05	5 1
" " " Other Islands (Visayas)	2 30	2 5
RUSSIA IN ASIA AND BOKHARA, <i>via</i> Europe	5 30	5 5
" " " " " " Vladivostock		
STRAITS SETTLEMENTS—		
Malacca, Native Straits, Penang and Singapore	3 25	3 4
SIAM, <i>via</i> Singapore	3 65	3 10½
" " Moulmein	2 80	2 13
TONQUIN, <i>via</i> Singapore	3 70	3 11
" " Moulmein	3 55	3 9
AUSTRALASIA.		
FANNING ISLAND	3 20	3 3
FIJI	2 45	2 7
NEW CALEDONIA	2 55	2 9
NEW SOUTH WALES	2 00	2 0
NEW ZEALAND	2 25	2 4
NORFOLK ISLAND... ..	2 10	2 1½
QUEENSLAND	2 00	2 0
SOUTH AUSTRALASIA	2 00	2 0
TASMANIA	2 20	2 3
VICTORIA	2 00	2 0
WEST AUSTRALIA	2 00	2 0
NORTH AMERICA.		
CALIFORNIA AND WASHINGTON (STATE)	3 25	3 4
GEORGIA, ILLINOIS, INDIANA, MICHIGAN, OHIO	3 00	3 0
IOWA	3 15	3 2½
NEW YORK CITY, ONTARIO AND QUEBEC	2 85	2 13½
NEW YORK (STATE) AND PENNSYLVANIA	2 95	2 15
BRITISH COLUMBIA from	3 35	3 5½
SOUTH AMERICA.		
ARGENTINE REPUBLIC	5 20	5 3
BOLIVIA	6 40	6 6½
BRAZIL—Pernambuco	4 35	4 5½
" Other Places (except Amazon Stations)	5 10	5 1½
CHILI—Punta Arenas	5 20	5 3
" Other Places	6 40	6 6½
GUIANA, British	7 35	7 5½
" Dutch	7 15	7 2½
" French	7 15	7 2½
PARAGUAY AND URUGUAY	5 20	5 3
PERU	6 40	5 5½

To places not mentioned above the charge is 20 cents higher than the Cable Company's rate from Kilindini.

Approved for British East Africa.

F. J. JACKSON,
Acting Commissioner.

KISUMU TOWNSHIP RULES.

Issued by His Majesty's Commissioner for the East Africa Protectorate under the provisions of the "East Africa Township Ordinance 1903 (No. 20 of 1903)."

Nairobi,
April 3rd, 1907.

F. J. JACKSON,
Acting Commissioner.

(1) Any suspicious case of sickness occurring in the Township shall be reported immediately to the Police Office.

(2) Any death occurring in the Township shall be reported immediately to the Police Office.

(3) The police receiving any report shall communicate the same at once to the Medical Officer of Health.

(4) The person to make any report of sickness or death is the owner or occupier (or their representative) of the house, shop, hotel, boarding house, store or other place, in which the illness or death occurs, or in case of the owner or occupier being ill, the duty shall devolve upon a relative, agent, or servant of the owner or occupier. In case of any such sickness or death occurring in a camp, the report shall be made by the headman or other person in charge of the camp for the time being.

(5) No sick person shall be removed, and no corpse be disposed of until a certificate to that effect shall have been issued by the Medical Officer of Health, or person appointed to do so.

(6) Any person found guilty of a breach of any of the above rules will be liable to a penalty of two hundred rupees fine, or imprisonment not exceeding two months, or to both. Any penalty imposed for a breach of these rules shall be in addition to, and not in substitution for, any penalty to which an offender shall have rendered himself liable. Provided that no person shall be punished twice for the same offence.

(7) These rules shall be applied to the Township of Kisumu in substitution of Rules 161 and 162 of the Rules under the East Africa Township Ordinance 1903 (No. 20 of 1903), dated May 19th 1904.

Nairobi,
April 3rd, 1907.

F. J. JACKSON,
Acting Commissioner.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

In pursuance of the powers conferred upon me by Section 4 of the Diseases of Animals Ordinance I hereby prohibit the movement of cattle from or into the Teita District.

Nairobi,
April 11th, 1907.

F. J. JACKSON,
Acting Commissioner.

NOTICE.

As it has become necessary to limit the number of Sportsman's licences to be issued in the British East Africa Protectorate in any one year the Public are hereby notified that not more than 500 Sportsman's licences will be issued under the East Africa Game Ordinance 1906 between the first day of April in one year and the thirty-first day of March in the succeeding years.

In order to prevent disappointment Sportsmen intending to visit the Protectorate for the purpose of big Game shooting, more particularly towards the end of each such period, are advised to communicate with the Collector, Mombasa, with the object of ascertaining the number of Sportsman's licences which have been issued during the then current year.

Nairobi,
April 12th, 1907.

F. J. JACKSON,
Acting Commissioner.

NOTICE.

I have been instructed by the Acting Commissioner to inform owners and occupiers under conveyances and leases of Crown Lands that they may use any clay, sand and stone suitable for building, roadmaking and similar purposes which may be found under the lands so owned or occupied by them without first obtaining the sanction of His Majesty's Commissioner and without the payment of royalty.

An Ordinance will be made conferring this right on purchasers and lessees of Crown Lands under both existing and future conveyances and leases.

Nairobi,
April 9th, 1907.

J. MONTGOMERY,
Commissioner of Lands.

NOTICE.

In exercise of the provisions of the East Africa Marriage Ordinance 1902, Section 6, I hereby give notice that I have licensed the Roman Catholic Churches (St. Joseph's Mission) situated at Mumias and Naivasha to be places for the celebration of Marriages under the aforesaid Ordinance from and after the 10th day of August, 1906, and the 18th day of April, 1907, respectively.

Given under my hand this 18th day of April, 1907.

F. J. JACKSON,
Acting Commissioner.

EAST AFRICA PROTECTORATE.

At the Court at Buckingham Palace, the 27th day of October, 1906.

Present :

The King's Most Excellent Majesty in Council.

WHEREAS the territories of Africa known as the East Africa Protectorate are under the protection of His Majesty the King :

And whereas by treaty, grant, usage, sufferance and other lawful means, His Majesty has power and jurisdiction within the said Protectorate :

And whereas by an Order of His Majesty in Council bearing date the eleventh day of August, 1902, and entitled "The East Africa Order in Council, 1902," provision was made for the exercise of His Majesty's jurisdiction within the said Protectorate, and the Commissioner under the said Order appointed was empowered to make ordinances for the administration of justice, the raising of revenue, and generally for the peace, order and good government of all persons therein :

And whereas it is expedient that a Governor should be appointed for the said Protectorate in place of a Commissioner, and that there should be an Executive Council and also a Legislative Council in and for the said Protectorate and that the Legislative Council should have power to make ordinances for the peace, order and good government of all persons in the said Protectorate, and that save as herein provided the said Council should exercise all such powers in that behalf as heretofore have been exercised by the Commissioner, subject in all respects to the provisions contained in the said East Africa Order in Council, 1902 :

Now, therefore, His Majesty, by virtue and in exercise of the powers on that behalf by the Foreign Jurisdiction Act, 1890, or otherwise, in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows :—

I. This Order may be cited as "The East Africa Order in Council, 1906." Short title.

II. In place of the Commissioner appointed under the provisions of the East Africa Order in Council, 1902, there shall be a Governor and Commander-in-Chief in and over the East Africa Protectorate (hereinafter called the Protectorate) and appointments to the said office shall be made by commission under His Majesty's Sign Manual and Signet. Whenever in the said Order in Council the word "Commissioner" occurs the word "Governor" shall be read in place thereof. Substitution of Governor for Commissioner.

III. The said Governor and Commander-in-Chief (hereinafter called the Governor) is hereby authorised, empowered, and commanded to do and execute all things that belong to his said office, according to the tenour of any Orders in Council relating to the Protectorate, and of such Commission as may be issued to him under His Majesty's Sign Manual and Signet, and according to such instructions as may from time to time be given to him under His Majesty's Sign Manual and Signet, or by Order in Council, or by His Majesty through one of His Majesty's Principal Secretaries of State, and to such laws as are now or shall hereafter be in force in the Protectorate. Governor's Powers and Authorities.

IV. Every person appointed to fill the office of the Governor shall, with all due solemnity, before entering on any of the duties of his office, cause the Commission appointing him to be Governor to be read and published in the presence of a Judge of His Majesty's High Court of East Africa, or, if there be no Judge of the said Court who is able to attend, in the presence of such other of His Majesty's Officers in the Protectorate as can conveniently attend, which being done, he shall then and there take before him or them the Oath of Publications of Governor's Commission.

Oaths to be taken
by Governor.

Imperial Act 31 and
32 Vic., c. 72.

Public Seal.

Executive Council.

Legislative Council.

Powers of Legis-
lative Council.

Governor's Veto.

Disallowance of
Ordinances.

Powers of Legis-
lation, &c., reserved
to the Crown.

Governor and Legis-
lative Council to
observe Instructions.

Governor em-
powered to make
grants of land,

and to appoint
Judges and other
officers.

Suspension of
officers.

Grant of pardon.

Allegiance in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of the Reign of Her late Majesty Queen Victoria, intituled "An Act to amend the Law relating to Promissory Oaths"; and likewise the usual oath for the due execution of the Office of Governor, and for the due and impartial administration of justice, which oaths the said Judge, or some other of His Majesty's Officers then present, is hereby required to administer.

V. The Governor shall keep and use the Public Seal of the Protectorate for sealing all things whatsoever that shall pass the said Seal: Provided that until a Public Seal shall be provided for the Protectorate the Official Seal heretofore used by the Commissioner may be used as the Public Seal of the Protectorate.

VI. There shall be an Executive Council in and for the Protectorate, and the said Council shall consist of such persons as His Majesty may direct by Instructions under His Majesty's Sign Manual and Signet, and all such persons shall hold their places in the said Council during His Majesty's pleasure.

VII. There shall be a Legislative Council in and for the Protectorate, and the said Council shall consist of the Governor and such persons, not being less than two at any time, as His Majesty may direct by any Instructions under His Majesty's Sign Manual and Signet, or through one of His Majesty's Principal Secretaries of State, and all such persons shall hold their places in the said Council during His Majesty's pleasure.

VIII. The persons who shall from time to time compose the said Legislative Council shall have full power and authority, subject always to any conditions, provisos, and limitations prescribed by any Instructions under His Majesty's Sign Manual and Signet, to establish such Ordinances, and to constitute such Courts and Officers, and to make such provisions and regulations for the proceedings in such Courts, and for the administration of justice, as may be necessary for the peace, order and good government of the Protectorate.

The Governor shall have a right of veto in the making and passing of all such Ordinances.

IX. There shall be reserved to His Majesty, His heirs and successors, full power and authority, and His and their undoubted right, to disallow any such Ordinances, and to signify such disallowance through one of His or their Principal Secretaries of State. Every such disallowance shall take effect from the time when the same shall be promulgated by the Governor in the Protectorate.

There shall also be reserved to His Majesty, His heirs and successors, His and their undoubted right, with the advice of His or their Privy Council, from time to time to make all such Laws or Ordinances as may appear to Him or them necessary for the peace, order and good government of the Protectorate.

X. In the making of any Ordinances the Governor and the said Legislative Council shall conform to and observe all rules, regulations and directions in that behalf contained in any Instructions under His Majesty's Sign Manual and Signet.

XI. The Governor, in His Majesty's name and on His Majesty's behalf, may make and execute, under the Public Seal, grants and dispositions of any lands within the Protectorate which may be lawfully granted or disposed of by His Majesty: Provided that every such grant or disposition be made in conformity, either with some Order in Council or law now or hereafter in force in the Protectorate, or with some Instructions which may be addressed to the Governor under His Majesty's Sign Manual and Signet, or through one of His Majesty's Principal Secretaries of State.

XII. The Governor may constitute and appoint all such Judges, Commissioners, Justices of the Peace, and other necessary Officers, as may be lawfully constituted or appointed by His Majesty, all of whom, unless otherwise provided by law, shall hold their offices during His Majesty's pleasure.

XIII. The Governor may, upon sufficient cause to him appearing, suspend from the exercise of his office any person holding any office within the Protectorate, whether appointed by virtue of any Commission or Warrant from His Majesty or in his Majesty's name or by any other mode of appointment. Every such suspension shall continue and have effect only until His Majesty's pleasure therein shall be signified to the Governor. In proceeding to any such suspension, the Governor is strictly to observe the directions in that behalf given to him by any Instructions as aforesaid.

XIV. When any crime or offence has been committed within the Protectorate, or for which the offender may be tried therein, the Governor may, as he shall see occasion, in His Majesty's name and on His Majesty's behalf, grant a

pardon to any accomplice in such crime or offence who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender convicted in any Court, or before any Judge or other Magistrate, within the Protectorate, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the Governor thinks fit, and may remit any fines, penalties or forfeitures due accrued to His Majesty.

Remission of fines.

XV. Whenever the office of Governor is vacant, or if the Governor becomes incapable or be absent from the Protectorate, or is from any cause prevented from acting in the duties of his office, then such person or persons as His Majesty may appoint under His Sign Manual and Signet, and in default of any such appointment the Senior Member of the Executive Council shall, during His Majesty's pleasure administer the Government of the Protectorate first taking the oaths hereinbefore directed to be taken by the Governor and in the manner herein prescribed, which being done, the administrator as aforesaid is hereby authorised, empowered and commanded to do and execute, during His Majesty's pleasure, all things that belong to the office of Governor according to the tenour of this Order, according to His Majesty's Instructions as aforesaid, and the Laws of the Protectorate. Provided that the Governor during his passage by sea to or from any part of the Protectorate, or when in the exercise or discharge of any powers or duties by this Order in Council or otherwise conferred or imposed upon him, he is in any territories adjacent to or near to the Protectorate, shall not be considered to be absent from the Protectorate.

Succession to Government.

Acting Governor.

Proviso Acting Governor to take Oaths of Office before administering Government.

Powers and authorities of Acting Governor.

XVI. In the event of the Governor having occasion at any time to be temporarily absent for a short period from the seat of Government or in the exercise or discharge of any powers or duties by this Order in Council or otherwise conferred or imposed upon him by His Majesty to visit any territories adjacent to or near to the Protectorate, he may by an instrument under the Public Seal of the Protectorate appoint any person or persons to be his Deputy or Deputies within any part of the Protectorate, and in that capacity to exercise, during his pleasure, such of the powers hereby vested in the Governor, except the powers of suspension and pardon, as the Governor shall think fit to assign to him or them. The appointment of such Deputy or Deputies shall not affect the exercise by the Governor himself of any of his powers or authorities. Every such Deputy shall, in the discharge of his office, conform to and observe all such Instructions as the Governor shall address to him for his guidance.

Appointment of Deputies of Governor.

XVII. And all His Majesty's Officers, Civil and Military, and all other the inhabitants of the Protectorate are hereby required and commanded to be obedient, aiding and assisting unto the Governor, and to such person or persons as may from time to time under the provisions of this Order administer the government of the Protectorate.

Officers and others to obey and assist Governor.

XVIII. In this Order the term "the Governor," unless inconsistent with the context, shall include every person for the time being administering the Government of the Protectorate.

Term "the Governor" explained.

XIX. His Majesty, His heirs and successors in Council may at any time revoke, alter or amend this Order.

Power reserved to His Majesty to revoke, alter, or amend present Order in Council.

XX. The following Sections of the Order of His Majesty in Council, dated the 11th August, 1902, and known as the East Africa Order in Council 1902, shall, upon the coming into operation of this Order, be revoked, without prejudice to anything lawfully done thereunder, namely:—Sections 4, 5, 8, 9, 10, 12 [except Sub-sections (8) and (10)], Sections 17 and 19.

Revokes certain Sections of Order in Council of 11th August, 1902.

XXI. This Order shall be read and proclaimed within the Protectorate, and shall thereupon commence and come into operation.

Proclamation of Order in Council.

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.

NOTICE.

The 24th of May, Empire Day, will be observed as a general holiday in the East Africa Protectorate.

Nairobi,
May 15th, 1907.

J. HAYES SADLER,
Governor.

NOTICE

Is hereby given that the American and Austrian Consular Jurisdictions in the East Africa Protectorate have been transferred to the British Court.

Nairobi,
May 14th, 1907.

J. HAYES SADLER,
Governor.

ATTENDANCE AT POST AND TELEGRAPH OFFICE ON SUNDAY
AND PUBLIC HOLIDAYS.

It is notified for public information that on and from the 2nd of June, 1907, the hours of attendance for Post and Telegraph business on Sundays will be as follows:—

- (a) At Mombasa, Nairobi and Kisumu—
From 9 a.m. to 11 a.m. and 6.30 p.m. to 7.30 p.m.
- (b) At other Offices in East Africa—
From 9 a.m. to 11 a.m.
- (c) At all Offices in Uganda—
From 8.30 a.m. to 10.30 a.m.

NOTE.—Uganda time is half-an-hour behind East Africa time, and the Sunday morning attendance therefore covers the same period of time in both Protectorates.

2. The hours of attendance on Public Holidays will be similar to those on Sundays with the exception that the Post Offices at Mombasa, Nairobi and Kisumu will be open—
From 8 a.m. to 12 noon and from 6 p.m. to 8 p.m.

3. In addition to the hours of attendance given above all Post Offices are specially opened on Sundays and Public Holidays for the receipt or despatch of any mails that have to be dealt with on those days. Unless otherwise notified the public attendance for this purpose is for half-an-hour before a mail is due to be despatched, and for half-an-hour after in-coming mails have been sorted for delivery.

General Post Office,
Mombasa, May 3rd, 1907.

J. GOSLING,
Postmaster General,
E. A. and U. Protectorates.

PROCLAMATION.

DISEASES OF ANIMALS ORDINANCE 1906.

Whereas an outbreak of Swine Fever has occurred on the Molo and Njoro Estates of Lord Delamere, and whereas certain pigs have been removed from the aforesaid estates to Mr. J. R. Wood's Farm at Kyanbu. Now therefore in exercise of the powers conferred upon me by the Diseases of Animals Ordinance 1906, I hereby declare the said Estates and Farm to be infected areas within the meaning of the aforesaid Ordinance.

Nairobi,
Dated this 22nd day of May, 1907.

J. H. SADLER,
Governor.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

In pursuance of the powers conferred upon me by Section 4 of the Diseases of Animals Ordinance 1906 I hereby prohibit the movement of swine into or from the district of Kiambu or from one farm or holding to another farm or holding in the said district.

Mombasa,
Dated the 31st day of May, 1907.

J. HAYES SADLER,
Governor.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

Notice is hereby given that the Proclamation dated the 2nd day of May 1906 whereby the movement of cattle from or into the Province of Kenya was prohibited is from this date cancelled.

Mombasa,
Dated the 29th day of May, 1907.

J. HAYES SADLER,
Governor.

RULE.

RULE issued by the Governor under the East Africa Townships Ordinance 1906.

Nairobi,
Dated the 25th day of May, 1907.

J. HAYES SADLER,
Governor.

The following fees shall be levied in the Township of Kisumu in respect of animals put into the Township cattle pound :—

12 cents per day for each goat or sheep.

75 cents for all other animals for the first day and 50 cents for each succeeding day.

J. HAYES SADLER,
Governor.

NOTICE.

WHEREAS doubts have arisen as to the situation of Msunguni mentioned in the Proclamation defining the limits of the Township of Mombasa and whereas the Governor has been requested to declare the position of the said area or place. I hereby declare that Msunguni should be read as Mkunguni and should for the purpose of the said Proclamation be deemed to be situate as shown on the Admiralty Chart.

Mombasa,
Dated this 16th day of May, 1907.

J. HAYES SADLER,
Governor.

NOTICE

Is hereby given that the Belgian Consular Jurisdiction in the East Africa Protectorate has been transferred to the British Court.

Nairobi,
May 22nd, 1907.

J. HAYES SADLER,
Governor.

NOTICE.

WHEREAS large tracts within those portions of the East Africa Protectorate which are under the Sovereignty of His Highness the Sultan of Zanzibar appertain to and belong to the Crown as waste and abandoned land.

AND WHEREAS it appears that certain persons have been and are in the habit of laying claim to and purporting to sell such lands without right thereto and to the prejudice of the estate.

It is hereby notified that no person can acquire any title to any land which was not privately owned prior to the year 1887 or to any land which has since been abandoned except through or from the Government, and that any person who knowingly sells or purports to sell such land commits an offence against the law and is liable to punishment.

Mombasa,

Dated this 18th day of May, 1907.

J. HAYES SADLER,

Governor.

NOTICE.

UNDER THE LAND ACQUISITION ACT 1894.

WHEREAS it is necessary that the limits of the land reserved to the Uganda Railway Administration for a station at Limoru should be extended and that the Government should acquire certain land for that purpose.

It is hereby declared that the Government do require for the purpose of extending the limits of the said station reserved all that piece or strip of land at Limoru in the district of Kikuyu in the Province of Ukamba adjoining the present boundary of the said station reserved and containing an approximate area of 9.43 acres and which land is more particularly delineated and described on the plan which may be seen at the Office of the Land Officer Nairobi.

Nairobi,

Dated the 10th day of June, 1907.

J. HAYES SADLER,

Governor.

NOTICE.

The attention of all Game Licence holders is called to the following:—

Before exporting any trophies shot under a Game Licence either through the Customs or by Parcel Post, such trophies must be passed by an Executive Officer viz. a District Commissioner or Assistant District Commissioner. Any application for permit to export must be accompanied by the licence holder's game return in duplicate. The Executive Officer will visé the Game return to the Customs or Port Officer.

Nairobi,

June 10th, 1907.

J. HAYES SADLER,

Governor.

RULE

Issued by the Governor of the East Africa Protectorate under the East Africa Liquor Ordinance 1902.

Mombasa,

Dated this 5th day of June, 1907.

J. HAYES SADLER,

Governor.

In Rule 1 of the Rules issued under the East Africa Liquor Ordinance 1902 and dated November 19th 1906 there shall be substituted for the words and figures "the 30th day of June 1907" the words and figures "the 31st day of December 1907."

J. HAYES SADLER,

Governor.

NOTICE.

Notice is hereby given that no Mining or Mineral leases will be granted in any native reserve until further notice.

Nairobi,
Dated this 14th day of June, 1907.

J. HAYES SADLER,
Governor.

RULE

NATIVE PASSES REGULATIONS 1907.

Rule issued by the Governor of the East Africa Protectorate under the Native Passes Regulations 1900.

Nairobi,
Dated this 14th day of June, 1907.

J. HAYES SADLER,
Governor.

Any Masai or Nandi convicted of an offence under rule 5 of the rules issued under the Native Passes Regulations 1900 and dated the 24th day of April 1906 or under rule 5 of the rules issued under the aforesaid Regulations and dated the 6th day of November 1906 may be punished with a fine not exceeding Rs. 150 in lieu of but not in addition to the penalties prescribed by the afore-mentioned rules.

J. HAYES SADLER,
Governor.

NOTICE.

In accordance with instructions received from the Secretary of State for the Colonies it is hereby notified that in future :—

(1) The area of homestead farms will be ordinarily restricted to 320 acres, the whole area being allotted at once; and

(2) The term of leases of grazing land will be for 21 years, subject to renewal for a further period of 21 years at the then prevailing rate of rent if due development has taken place.

J. MONTGOMERY,
Commissioner for Lands.

POST OFFICE NOTICE.

1. It is hereby notified for general information that arrangements have been concluded for a direct exchange of Money Orders with German East Africa to commence on the 1st of July 1907.

2. On and from the date mentioned Money Orders for and from German East Africa which have hitherto been negotiated through the Post Office at Zanzibar, will be exchanged between Mombasa and Dar-es-Salam direct.

3. The rates of commission for Money Orders forwarded by the new direct service will be similar to those already in force for Money Orders exchanged with India, viz. :—

	Rs.	cts.
For sums not exceeding Rs. 10	Commission	0 25
" " " " " 25	"	0 50
" " " " " 35	"	0 75
" " " " " 50	"	1 00
" " " " " 60	"	1 25
" " " " " 75	"	1 50
" " " " " 85	"	1 75
" " " " " 100	"	2 00

General Post Office,
Mombasa,
May 27th, 1907.

J. GOSLING,
Postmaster-General,
East Africa and Uganda Protectorates.

RULES

Issued by the Governor of the East Africa Protectorate under the provisions of "The Diseases of Animals Ordinance 1906."

Nairobi,

Dated the 21st day of June, 1907.

J. HAYES SADLER,

Governor.

1. The rules issued by H.M. Commissioner under the Diseases of Animals Ordinance 1906 and dated 23rd day of December 1905 shall be amended to the following extent, viz. :—

(1) After the word "Lamu" at the end of rule 2 Sub-section 1 add "or such other Ports as may from time to time be proclaimed."

(2) From rule 5 delete from the word "embarkation" to the end of the rule.

(3) In rule 6 after the word "certificate" add "from a qualified Veterinary Surgeon."

(4) In rule 7 after the words "with dip" add "or otherwise disinfected."

(5) In rule 8 delete the words "any district," and after the word "country" add "or place."

(6) In rule 10 after the word "landed" add "or at such other station as may be fixed by the Inspecting Officer: the animals in the meantime shall remain under provisional quarantine."

2. All dogs imported into the East Africa Protectorate from England, Australia, New Zealand, Tasmania, the Azores or St. Helena shall be accompanied by a certificate of health from a qualified Veterinary Surgeon.

All dogs imported into the East Africa Protectorate from Cape Colony, the Orange River Colony or Transvaal shall be accompanied by a certificate of health from a qualified Veterinary Surgeon, countersigned by the Chief Veterinary Officer of the Colony from which they are imported. All dogs imported into the East Africa Protectorate without such certificates or imported from any other country other than those mentioned above shall be subjected on arrival to three months' quarantine at the owner's risk and expense.

The importation of all dogs from Rhodesia is prohibited and such dogs shall be destroyed without compensation.

3. Rules 9, 13 and 27 of the afore-mentioned rules are hereby cancelled.

J. HAYES SADLER,

Governor.

RULES.

Rule issued by the Governor of the East Africa Protectorate under the provisions of "The East Africa Townships Ordinance 1903" and "The Fees and Royalties Ordinance 1903."

Nairobi,

Dated this 1st day of June, 1907.

J. HAYES SADLER,

Governor.

The following fees shall be levied in the Township of Nakuru :—

Slaughter-house fees—

	Rs.	Cts.
For cattle, per head	1	0
For Sheep or Goats, per head...	0	25

J. HAYES SADLER,

Governor.

HIS MAJESTY'S HIGH COURT OF EAST AFRICA.

RULES OF COURT No. 2 OF 1907.

(TAXATION OF BILLS OF COSTS.)

RULES made by the High Court with the approval of His Excellency the Governor under Article 22 of the East Africa Order in Council 1902 and Article II of the East Africa Order in Council 1906.

(1) These Rules may be cited as Rules of Court (Taxation of Costs) No. 2 of 1907. Short Title.

(2) Bills of Costs incurred in legal proceedings in East Africa other than cases in Courts subordinate to the High Court shall be taxable according to the rates in the schedule to these Rules. Bills of costs taxable by schedule.

(3) All bills of costs shall be taxed on the ordinary scale unless a Judge of the High Court certifies on special grounds arising out of the nature and importance or the difficulty or urgency of the case that they are to be taxed on the Higher Scale. Higher scale to be specially certified.

(4) Should more than one-sixth of the total amount of a bill of costs be disallowed the party presenting the bill for taxation shall pay the costs of such taxation. Costs of taxation if one-sixth disallowed.

(5) The Taxing Officer for the taxation of bills under these Rules shall be the Registrar of the High Court or in his absence such other officer as the Principal Judge may appoint. Taxing Officer.

(6) Should any party object to a decision of the Taxing Officer he may refer his objection for the decision of a Judge of the High Court. Objection to decision of Taxing Officer.

Such reference shall be made in the form of an ordinary chamber application supported by affidavit with notice to the other side.

(7) With the consent of both parties the Taxing Officer may refer any matter in dispute arising out of the taxation of a bill for the opinion of the High Court. The fee payable for such a reference will be Rs. 10 under fee No. 56 Rules of Court (Fees) No. 3 of 1906. Reference by consent to High Court.

(8) In all causes and matters pending at or commenced after the date on which these Rules come into operation Pleaders shall be entitled to charge the fees set forth in the column headed "Lower Scale" in the Schedule hereto. Lower Scale.

(9) The fees set forth in the column headed "Higher Scale" in the said Schedule may be allowed, either generally in any cause or matter, or as to the costs of any particular application made, or business done, in any cause or matter, if, on special grounds arising out of the nature and importance, or the difficulty or urgency of the case, the Court or a Judge shall so order. Higher Scale.

(10) If in any case it shall appear to the Court or a Judge that costs have been improperly or without reasonable cause incurred, or that by reason of any undue delay in proceeding under any judgment or order, or of any misconduct or default of the Pleader, any costs properly incurred have nevertheless proved fruitless to the person incurring the same, the Court or a Judge may call on the Pleader by whom such costs have been so incurred to show cause why such costs should not be disallowed as between the Pleader and his client, and also (if the circumstances of the case shall require) why the Pleader should not repay to his client any costs which his client may have been ordered to pay to any other person, and thereupon may make such order as the justice of the case may require. Costs improperly incurred.

The Court or Judge may, if they or he think fit, refer the matter to the Taxing Officer for inquiry and report.

Cost on award.

(11) Costs may be taxed upon an award in an arbitration notwithstanding that the time for setting aside the award has not elapsed.

Notice of taxation.

(12) In all cases in which Pleaders have lodged their bills with the necessary papers and vouchers the Taxing Officer may, if he thinks fit, forthwith issue a notice fixing a time at which the taxation shall be proceeded with.

Notice of taxation where defendant did not appear.

(13) Notice of taxation of costs shall not be necessary in any case in which the Defendant has not appeared in person or by Pleader.

Default of appearance on date of taxation, or delay of taxation, or causing unnecessary expense to other party to taxation.

(14) Any Pleader who shall after due notice fail to appear on the date fixed for the taxation or on any date to which such taxation is adjourned, or who shall in any way delay or impede the taxation, or put any other party to any unnecessary or improper expense relative to such taxation shall, unless the Taxing Officer otherwise direct, forfeit the fees to which he would otherwise be entitled for drawing his bill of costs and for attending the taxation, and shall in addition be liable to pay for any unnecessary or improper expense to which he has put any party.

Form of Bill of Costs.

(15) In every bill of costs the professional charges shall be entered in a separate column from the disbursements, and each column shall be cast before the bill is left for taxation, and a column shall be left blank on the left-hand side of the bill for the amounts disallowed to be inserted.

Costs of interlocutory applications.

(16) Upon interlocutory applications where the Court or a Judge shall think fit to award costs to any party, the Court or Judge may by an order direct payment of a sum in gross in lieu of taxed costs and direct by or to whom such sum in gross shall be paid.

Attendances to settle and read over.

(17) The allowances for "instructions" and "drawing an affidavit in answer to interrogatories" and other special affidavits shall include all attendances on the deponent to settle and read over.

Costs in proceedings by joint plaintiffs or defendants.

(18) Where the same Pleader is employed for two or more Plaintiffs or Defendants and separate pleadings are delivered or other proceedings had by or for two or more such Plaintiffs or Defendants separately, the Taxing Officer shall consider in the taxation of such Pleader's bill of costs, either between party and party, or between Pleader and client, whether such separate pleadings or other proceedings where necessary or proper, and if he is of opinion that any part of the costs occasioned thereby have been unnecessarily or improperly incurred, the same shall be disallowed.

Costs of witnesses.

(19) Such just and reasonable charges as appear to have been properly incurred in procuring evidence, and the attendance of witnesses, are to be allowed.

Costs on adjournment before Judge in Chambers owing to default of party or pleader.

(20) Where by reason of the non-attendance of any party before a Judge in Chambers (unless it be considered expedient to proceed *ex parte*) or where by reason of the neglect of any party in not being prepared with any proper evidence, account or other proceeding the attendance is adjourned without any useful progress being made, the Judge may order such amount of cost (if any) as he shall think reasonable to be paid to the party attending by the party so absent or neglectful, or by his Pleader personally.

Unnecessary appearances.

(21) Where any party appears upon any application or proceeding in Court or in Chambers, in which he is not interested, or upon which, according to the practice of the Court, he ought not to attend, he shall not be allowed any costs of such appearance unless the Court or Judge shall otherwise order.

Costs on resetting down case struck out by default of plaintiff.

(22) Where a cause or matter which stands for trial is called on to be tried, but cannot be decided by reason of a want of parties or other default on the part of the Plaintiff, and is therefore struck out, and the same cause is again set down by leave of the Judge, the Defendant shall be allowed the taxed costs occasioned by the first setting down although he does not obtain the costs in the cause or matter.

(23) The Taxing Officer shall have power to limit or extend the time for any proceeding before him. Extension of time for taxation.

(24) Every bill of costs which shall be lodged for taxation shall be indorsed with the name and address of the Pleader by whom it is so lodged, and also the name and address of the Pleader (if any) for whom he is Agent. Bills of costs to be endorsed by Pleader.

SCHEDULE TO TAXATION OF BILLS OF COSTS RULES.

	Ordinary Scale. Rs. cents.	Higher Scale. Rs. cents.
LETTERS.		
Letter before action	5	0
Letters deemed necessary by Taxing Officer	3	75
Circular letter ,, ,, ,, each	0	50

INSTRUCTIONS.

To sue or defend	30	0	50	0
For counter-claim	30	0	50	0
For interlocutory applications, notice of motions or chamber applications ...	10	0	15	0
For interrogatories for the examination of a witness	5	0	10	0
For affidavit in answer to interrogatories or other special affidavits	5	0	10	0
For Petition of Appeal	20	0	50	0
For Cross objections to petition and defence	20	0	50	0
Examining and taking minutes of evidence of each witness afterwards allowed on taxation	10	0		
If exceeding five folios for each additional folio	1	0		
In special cases, in addition for preparing and making copies of any account or other documents not being notes or observations relating to the evidence of witnesses only, which the Taxing Officer may think necessary for the Judge's or Pleader's use at the trial, such sum as he may consider reasonable not exceeding	10	0		

DRAWING.

Concise statement, Pleat, written Statement, Interlocutory Application, Notice of motion, or chamber application, Affidavit, Petition of Appeal, Cross objections to Petition of Appeal, Interrogatories, Agreement for compromise, adjustment or satisfaction of suit, or for Reference to arbitration (under two folios)	5	0		
The like over two folios additional per folio after the first two	2	0		
All other necessary documents under two folios	3	0		
The like over two folios per folio	2	0		
Every agreement raising questions of law or fact for the decision of the Court (unless certified by the Judge to be allowed at a higher rate)	20	0		
Bill of costs per folio (figures to be taken as one word)	1	0		

COPIES.

Of Pleat, written Statement, Affidavit, Petition of Appeal, Cross objections to Petition, Interrogatories, Replies to interrogatories, Agreement in satisfaction of suit, or for Reference to Arbitration, Exhibit, Bill of Costs and every other necessary document (whether for Court or opposing party) per folio ...	0	50		
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ATTENDANCES.

On any application to the Registrar not being ex parte (if deemed necessary by Taxing Officer)	5	0	10	0
The like if ex parte	3	0	7	50
To enter pleat, file written Statement or counter-claim, Interrogatories, or Chamber Application	5	0		

	Ordinary Scale Rs. cents.	Higher Scale. Rs. cents.
To file affidavit (to include attending with deponent to swear to same) ...	5	0
To inspect or produce for inspection, pursuant to a notice ...	5	0
Or per hour or part thereof ...	5	0
At Office of Court or upon opposite party or his pleader, not otherwise provided for, which Taxing Officer may deem necessary, such fee as Taxing Officer may deem reasonable, not less than ...	5	0
Where in consequence of anything done by the opposite party it becomes necessary to advise or receive instructions from a client in the progress of an action or matter, for each attendance the Taxing Officer may deem necessary such fee as Taxing Officer may deem reasonable, not less than ...	5	0
At Court conducting cause (every whole day) ...	45	0
Half day ...	25	0
At Court on settlement of issues or for orders ...	7	50
To make or oppose any application or motion before the Judge in Chambers...	10	0
The like if in Court ...	15	0
To hear a deferred Judgment ...	7	50
Before an Arbitrator for each sitting if under 2 hours ...	15	0
The like if over 2 hours for every additional hour or part thereof ...	5	0
Before a Commissioner for adjustment of accounts per hour or portion thereof	7	50
Before Taxing Officer on taxation of costs per hour or part thereof ...	5	0
Special not otherwise provided for—at the Taxing Officer's discretion.		

PERUSALS.

Of particulars of claim or counter-claim ...	5	0
Of interrogatories by the Pleader of the party by whom the same are to be answered Rs. 2 per folio, not less than...	5	0
Of affidavit in answer to interrogatories by the Pleader of the party interrogated Re. 1 per folio, not less than ...	2	50
Of other special affidavits by the Pleader of the party against whom the same can be read Re. 1 per folio, but not less than ...	2	50
Notice to produce and other formal documents ...	2	0

SERVICE.

Within 3 miles of the High Court or Court of District Registry of High Court ...	1	0
Every additional mile over 3 such amount as is deemed fit by the Taxing Officer.		
By post if authorized ...	1	0

PLANS, MODELS, ETC.

Plans, charts or models for use of Judge at trial, such sum as the Taxing Officer shall allow.

TRANSLATION.

Of documents or accounts deemed necessary by Taxing Officer per folio ...	1	50
A folio is to consist of 100 words, a single figure or group of figures up to five, and an item in accounts being counted as one word.		

Mombasa,
14th June, 1907.

Approved :
J. HAYES SADLER,
Governor.

R. W. HAMILTON,
J. W. BARTH,
Judges of the High Court.

RULES

Made by His Excellency the Governor for the East Africa Protectorate under the provisions of the East Africa Forestry Regulations 1902, Section 3 (e).

I. The following fees shall be payable for the purchase of timber and other forest produce in Forest Areas :—

1. FOR POSTS AND POLES.
 - (a) Up to 10 feet in length and 5 inches in diameter at the thick end ... 15 cents per pole.
 - (b) From 10 to 15 feet long and not exceeding 6 inches in diameter ... 30 cents per pole.
 - (c) From 15 to 20 feet long and not exceeding 9½ inches in diameter ... 50 cents per pole.
 - (d) Poles of Matundu and Mkeo ... 5 cents per pole.
 2. TREES WITHIN A 10 MILES RADIUS OF NAIROBI.

Muhugu and Muziga	20 cents per cubic foot.
Makinduri and Mairothi	15 cents per cubic foot.
All other trees	10 cents per cubic foot.
 3. TREES OUTSIDE A 10 MILES RADIUS OF NAIROBI.

Cedar (<i>Juniperus procera</i>)	25 cents per cubic foot.
Podocarpus	20 cents per cubic foot.
Munderendu, Moeri, Mona, Muhugu and Muziga	15 cents per cubic foot.
All other trees at	10 cents per cubic foot.
Mutundu, Mkeo and Mwethia	5 cents per cubic foot.
 4. For Bamboos ... Rupee 1 per 100.
 5. For Brushwood for wattling, basket making, &c. ... 6 cents per head load.
 6. Firewood trucked from the Escarpment Forest, except for Departmental use, one rupee per 80 c. ft. stacked; Charcoal two rupees per ton.
 7. Confiscated firewood or other forest produce to be sold at rates fixed in each special case by the Conservator of Forests.
- II. The cost of cutting and removal of timber and other forest products shall be borne by the purchaser.
- III. Head load if not more than 10 be taken at one time
- | | |
|-----------------------------|-----------|
| Donkey Load do. do. | 6 cents. |
| Head Load 1 daily per month | 12 cents. |
| Donkey Load do. do. | Rupee 1. |
| Cart Load each 2 bullocks | Rupees 2. |
| Cart Load each 4 bullocks | Rupee 1. |
| | Rupees 2. |

NOTE.—The rules published on the 13th October, 1905, in the "Official Gazette" of 15th October, 1905, are hereby cancelled.

Nairobi,
June 26th, 1907.

J. HAYES SADLER,
Governor.

The following Act was passed by the Governor General of India in Council on the 21st of March, 1906, and has by virtue of the Article 11 (d) of the East Africa Order in Council 1897 been in force in this Protectorate from that date :—

ACT NO. V. OF 1906.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL (RECEIVED THE ASSENT OF THE GOVERNOR GENERAL ON THE 31ST MARCH, 1908).

An Act further to amend the Indian Stamp Act, 1899.

WHEREAS it is expedient further to amend the Indian Stamp Act, 1899; it is hereby enacted as follows :—

1. This Act may be called the Indian Stamp (Amendment) Act, 1906.
2. In section 2, clause (19), of the Indian Stamp Act 1899 (hereinafter referred to as "the said Act"), sub-clause (c), and the word "and" prefixed thereto, are hereby repealed. Short title.
Repeal of part of section 2, Act II, 1899.
3. In section 11, clause (a), section 32, proviso, clause (c), section 35, proviso, clause (a), section 40, section 41, section 69 and section 74 of the said Act after the words "one anna," wherever they occur, the words "or half an anna" shall be inserted. Amendment of sections 11, 32, 35, 40, 41, 69 and 74, Act II, 1899.
4. For section 29, clause (b), of the said Act, the following shall be substituted, namely :—

"(b) In the case of a policy of insurance other than fire insurance—by the person effecting the insurance;

(bb) In the case of a policy of fire insurance—by the person issuing the policy."

Substitution of new clause for clause (b) of section 29, Act II, 1899.
5. To section 30 of the said Act the following paragraph shall be added, namely :—

"Any person receiving or taking credit for any premium or consideration for any renewal of any contract of fire insurance, shall, within one month after receiving or taking credit for such premium or consideration, give a duly stamped receipt for the same."

Addition to section 30, Act II, 1899.

Amendment of section 51, Act II, 1899.

6. In section 51 of the said Act, after the word "instruments" the words "by any banker or," and after the word "said" the word "banker," shall be inserted.

Amendment of Schedule I, Act II, 1899.

7. In Schedule I of the said Act, the following amendments shall be made, namely:—

- (1) For clauses (b) and (c) of the exemptions from Article No. 24 the following shall be substituted, namely:—
 "(b) Copy of, or extract from, any register relating to births, baptisms, namings, dedications, marriages, deaths or burials."
- (2) In clause (b) of Article No. 41, for the words "one year" the words "eighteen months" shall be substituted.
- (3) For divisions A and B, Article No. 47, the following shall be substituted:—

	If drawn singly.	If drawn in duplicate, for each part.
A.—Sea Insurance (see section 7):—		
(1) For or upon any voyage:—		
(i) Where the premium or consideration does not exceed the rate of two annas or one-eighth per centum of the amount insured by the policy ...	One anna.	Half an anna.
(ii) In any other case, in respect of every full sum of one thousand rupees and also any fractional part of one thousand rupees insured by the policy ...	Two annas.	One anna.
(2) For time:—		
(iii) In respect of every full sum of one thousand rupees and also any fractional part of one thousand rupees insured by the policy:—		
Where the insurance shall be made for any time not exceeding six months ...	Two annas.	One anna.
Where the insurance shall be made for any time exceeding six months and not exceeding twelve months ...	Four annas.	Two annas.
"B.—Fire Insurance:—		
(1) In respect of an original policy:—		
(i) When the sum insured does not exceed Rs. 5,000...	Eight annas.	
(ii) In any other case ... and	One rupee.	
(2) In respect of each receipt for any payment of a premium on any renewal of an original policy ...		One half of the duty payable in respect of the original policy in addition to the amount, if any, chargeable under No. 53."

- (4) To Article No. 53 the following note shall be added, namely:—
 "See also Policy of Insurance [No. 47-B (2)]."

RULES.

THE CROWN LANDS ORDINANCE, 1902.

RULES issued by the Governor of the East Africa Protectorate under Section 33 of the Crown Lands Ordinance, 1902.

Nairobi,
 Dated the 8th day of July, 1907.

J. HAYES SADLER,
 Governor.

RULES RELATING TO THE PURCHASE OF HOMESTEADS BY INSTALMENTS.

1. The rules relating to the purchase of Homesteads in force in the Protectorate on the 6th day of June, 1907, shall continue to apply to any Homestead area granted on or prior to the date aforesaid, but shall not apply to any such area granted after that date.

For the purpose of this rule an area shall be deemed to have been granted if the Commissioner of Lands or Land Officer shall have informed in writing the applicant for such area that the area would be granted, notwithstanding that no formal agreement shall have been entered into for the sale and purchase of such area.

2. In these rules a "homestead" shall mean a holding purchased or to be purchased by instalments, and "purchaser" shall mean the person who has agreed to purchase a homestead.

3. The maximum area of a homestead shall, except in such cases as the Commissioner of Lands shall be satisfied that good and sufficient cause exists for extending the area, be 320 acres.

4. The purchase money may be spread over a period not exceeding sixteen years, payment being made in equal yearly instalments; provided that the purchaser may with the consent of the Commissioner of Lands pay the whole of outstanding balance at any time after having complied with the conditions imposed upon him by these rules and by his agreement to the satisfaction of the Commissioner of Lands.

5. In every year for the first three years the purchaser shall bring one-tenth of his holding under cultivation, and shall keep all cultivated lands in good heart and condition until he acquires a conveyance of the holding.

Provided that as soon as he has cultivated three-tenths of the holding he shall not be compelled to cultivate any further portion.

6. The purchaser must begin to occupy his holding within six months of the date of the agreement and every purchaser shall, within three years, erect a living house of a reasonably permanent character upon the holding.

7. If at any time any yearly instalment to be paid by the purchaser under his agreement shall remain unpaid for a period exceeding three months after the same has become due or if the purchaser shall at any time fail to comply with any of the conditions imposed upon him by rules 6 and 7 of these rules or by his agreement, the Commissioner of Lands may after consulting the Land Board if and when such Board shall be constituted by any Ordinance, and until such Board shall be so constituted, on instructions from the Governor, declare the agreement to be forfeited and thereupon the purchaser shall cease to have any right to, in or upon the land the subject of such agreement, and all payments made in respect of such agreement shall be forfeited to His Majesty. Every forfeiture under this rule shall be published in the "Official Gazette" and shall have full force and effect from the date of such publication.

8. When the purchaser shall have paid the whole of the purchase money he shall be entitled, provided that he shall then have three-tenths of his holdings under cultivation and shall have complied with the provisions of these rules with regard to building, to receive from the Governor on behalf of His Majesty a conveyance of his holding.

9. Provided that if at any time the Commissioner of Lands shall report to the Governor that the purchaser of a homestead has paid the whole of the purchase money and has spent on the general development and improvement of his holding a sum of not less than Rs. 6,000, the Governor may, notwithstanding that the purchaser shall not have complied with all the conditions imposed upon him by these rules, grant in His Majesty's name to such purchaser a conveyance of his holding.

10. A purchaser of a homestead area shall not deal with his interest in such area by sale, lease, mortgage or otherwise except with the consent of the Commissioner of Lands, until a conveyance of such area shall have been granted to him.

11. All the time limits in the foregoing Rules, unless otherwise expressed, refer to the beginning of a term to be named in the agreement, or, if no such term is named, then to the date on which the agreement shall have been executed.

NOTICE.

THE EAST AFRICA MARRIAGE ORDINANCE 1902.

In exercise of the provisions of the East Africa Marriage Ordinance, 1902, section 6, I hereby give notice that I have licensed the St. Michael's Catholic Mission (Congregation of the Holy Ghost), situated at Giriama, Rabai, to be a place for the celebration of Marriages under the aforesaid Ordinance from and after the sixth day of June 1907.

Given under my hand this 6th day of July 1907.

J. HAYES SADLER,
Governor.

PROCLAMATION.

UNDER THE EAST AFRICA POLICE ORDINANCE 1906.

In pursuance of the powers conferred upon me by Section 33 of the East Africa Police Ordinance 1906 I hereby extend the aforesaid Section to the following places:—

Fort Hall—The area comprised within a circle having the radius of 2 miles with the Government flagstaff as centre.

Nyeri Station—The area comprised within a circle having the radius of 2 miles with the Government flagstaff as centre.

Embu Station—The area comprised within a circle having the radius of 2 miles with the Government flagstaff as centre.

Nairobi,

Dated this 24th day of July, 1907.

J. HAYES SADLER,
Governor.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

In pursuance of the powers conferred upon me by Section 4 of the Diseases of Animals Ordinance 1906 I hereby prohibit the movement of cattle into or out of the District of Machakos, with the exception of cattle intended for slaughter which may be removed from the district under the conditions following:—

- (1) Any person desiring to remove bullocks for slaughter must obtain from the Office of the Chief Veterinary Officer a permit in which shall be specified the number of cattle which may be removed and the date on which they may be removed.
- (2) No cattle will be permitted to leave the district until they have been inspected and branded by the Inspector at Machakos and the permit authorising their removal has been countersigned by him.

Nairobi,

J. HAYES SADLER,

Governor.

Dated this 24th day of July, 1907.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

In pursuance of the powers conferred upon me by Section 4 of the Diseases of Animals Ordinance 1906 I hereby declare the following areas to be infected areas within the meaning of the aforesaid Ordinance, namely:—

J. T. Oulton's farm (Ngongo).

W. N. MacMillan's farm (Juja).

Nairobi,

J. HAYES SADLER,

Governor.

Dated this 24th day of July, 1907.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

In pursuance of the powers conferred upon me by Section 4 of the Diseases of Animals Ordinance 1906 I hereby prohibit the movement of cattle into or out of the District of Kitui.

Nairobi,

J. HAYES SADLER,

Governor.

Dated this 24th day of July, 1907.

PROCLAMATION.

DISEASES OF ANIMALS ORDINANCE 1906.

Whereas cases of East Coast Fever are reported by the Acting Chief Veterinary Officer amongst native cattle on the Mbagathi, now therefore in exercise of the powers conferred upon me by the Diseases of Animals Ordinance 1906, I hereby declare the area comprising the land of Messrs. Oulton, Vincent, King and Watkins on the Northern side of the Mbagathi River an infected area within the meaning of the aforesaid Ordinance.

Nairobi,

J. HAYES SADLER,

Governor.

July 30th, 1907.

RULE.

Rule made by the Governor of the East Africa Protectorate under the provisions of the "Crown Lands Ordinance 1902."

The Rules dated July 15th 1903 and made under the Crown Lands Ordinance 1902 are hereby cancelled.

Nairobi,

J. HAYES SADLER,

Governor.

Dated this 22nd day of July, 1907.

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 until such time as this Proclamation shall be withdrawn the importation into the East Africa Protectorate of any cattle from any territory or place, other than Cape Colony, situate in Africa South of 10° South Latitude.

The Proclamation dated the 23rd day of December 1905 relating to the importation of cattle from the aforesaid territories and places is hereby withdrawn.

Nairobi,

J. HAYES SADLER,

Governor.

Dated this 6th day of August, 1907.

PROCLAMATION.

In exercise of the powers conferred upon me by the East Africa Hut Tax Ordinance 1903 I hereby declare that the Hut Tax leviable in the Province of Kenya 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 per each hut from and after the 1st day of April 1906.

Nairobi,
Dated this 10th day of March, 1907.

J. HAYES SADLER,
Governor.

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 until such time as this Proclamation shall be withdrawn the importation or introduction into the East Africa Protectorate of any cattle from German East Africa.

The Proclamation dated March 21st 1907 which prescribed conditions under which cattle might be introduced into the Protectorate from German East Africa is hereby withdrawn.

Nairobi.
Dated this 10th day of August, 1907.

J. HAYES SADLER,
Governor.

RULES

Issued by the Governor of the East Africa Protectorate under the provisions of the East Africa Townships Ordinance 1903.

THE TOWNSHIP OF MOMBASA.

1. These Rules shall apply to the Township of Mombasa and may be cited Title as the Mombasa Township Rules No. 1 of 1907.

2. The fees set out in the Schedule hereto shall be chargeable upon the Fees registration of vegetable sellers, dairymen and milk sellers.

SCHEDULE.

Registration of vegetable sellers	Rs. 5 per annum.
(Other than vendors of vegetables in the Native markets.)	
Registration of dairymen and milk sellers	Rs. 5 per annum.

Nairobi,
August 6th, 1907.

J. HAYES SADLER,
Governor.

RULES

Issued by the Governor of the East Africa Protectorate under the provisions of the Infectious Diseases Ordinance 1903.

Nairobi,
Dated this 15th day of August, 1907.

J. HAYES SADLER,
Governor.

PREVENTION OF THE SPREAD OF SLEEPING SICKNESS.

1. All land within 25 miles of the shore of Lake Victoria is hereby declared to be an infected area for the purpose of these rules.

2. No Native of Uganda or Kavirondo will be allowed to travel or reside in any place in the Protectorate outside the infected area further East than Nairobi: Provided that Native servants of Europeans will be allowed to accompany their Masters on such Masters certifying that such Native servants have not lived for a period of six months in the vicinity of any person affected with Sleeping Sickness in a locality in which the tsetse fly is known to exist.

3. No Native of Africa, other than Baganda or Kavirondo, who has been resident or travelling in the infected area will be allowed to travel or reside in any place in the Protectorate outside the infected area further East than Nairobi unless such Native produces a Medical certificate stating that he has been medically examined and shows no obvious signs of Sleeping Sickness. Such certificate shall not be valid if issued more than two days before such Native last left the infected area.

4. A Medical Officer shall have power to detain and place in any hospital, station, or camp for observation any Native suffering from or whom he suspects to be suffering from Sleeping Sickness.

5. Any Native travelling or being in any place in breach of these rules may be detained under observation in such place and for such time as a Medical Officer may determine and shall further be liable to a fine not exceeding Rupees one hundred and fifty and in default of payment to imprisonment of either description which may extend to three months.

6. The rules issued under the Infectious Diseases Ordinance 1903 and dated April 23rd 1904 are hereby cancelled.

RULES.

THE CROWN LANDS ORDINANCE 1902.

Rule issued by the Governor of the East Africa Protectorate under Section 33 of the Crown Lands Ordinance 1902.

Nairobi,

J. HAYES SADLER,

Dated this 14th day of August, 1907.

Governor.

RULE RELATING TO THE PURCHASE OF HOMESTEADS BY INSTALMENTS.

The rules relating to the purchase of Homesteads dated the 8th day of July 1907 shall be amended to the extent following:—

In rule 7 there shall be substituted for the words and figures "rules 6 and 7 of these rules" the words and figures "rules 5 and 6 of these rules."

J. HAYES SADLER,

Governor.

RULES.

Rules made under the provisions of "The Indian Tramways Act 1886" as applied to the East Africa Protectorate.

Nairobi,

J. HAYES SADLER,

Dated this 20th day of August, 1907.

Governor

MOMBASA TRAMWAY.

1. Every trolley used on the Mombasa Tramway, whether for passenger or goods traffic, must be provided with an efficient brake.

2. Every trolley must be provided with a distinguishing number, to be affixed in a conspicuous position.

3. Goods trolleys and trucks shall not be allowed to run on the line between the hours of 8.45 a.m. and 9.15 a.m., 12 noon and 12.30 p.m., and 1.45 p.m. and 2.15 p.m.

4. The owner or owners of any trolley or truck which shall be used in contravention of these Rules shall be liable to a fine not exceeding Rupees fifty and in default of payment to simple imprisonment for a term not exceeding one month.

5. These rules shall come into force on the first day of December 1907.

J. HAYES SADLER,

Governor.

FURNITURE REGULATIONS.

Notice is hereby given that the following allowances of Bungalow Furniture to Officials, and Regulations appertaining thereto, shall come into force on July 1st, 1907 :—

Description.	Value Rupees.	I.		
		Heads of Departments, Provincial Commis- sioners, 1st and 2nd Secretaries.	II. Other Gazetted Officers except those under I.	III. European Postmasters, Clerks, Foreman, Police Inspectors, &c.
Bed with spring mattress, 2 pillows and mosquito net	{ Double 144 Single 113 }	2	1	1
Washstand	25	2	1	...
Dressing table	25	2	1	...
Chest of drawers	54	1	1	1
Wardrobe	60	1
Dining table	30	1	1	1
Sideboard	100	1
Chairs—Dining-room	10 each	6	4	2
Chairs—Bedroom	5 "	2
Chairs—Lounge	12 "	3	2	...
Filter	23	1	1	...
Set of bedroom crockery	7	2	1	1 enamel
Commode	11	2	1	1
Mirror	12	2	1	...

1. No filters will be issued to Nairobi.
2. Enamelled iron toilet sets, and not crockery ones, will be issued to all Government stations off the Railway.
3. Mosquito nets will be renewable in April every year.
4. Where quarters are occupied by two officials the above allowances will be increased by bed complete, washstand, dressing table, chest of drawers, two dining-room chairs, one commode, one toilet set for each additional occupant.
5. Every house or quarter will be supplied with a priced list of the articles supplied to it and outgoing occupants must invariably notify the nearest Public Works Department Officer at least a week prior to their departure so that the furniture may be examined as to quantity and condition. In the case of articles found missing or damaged otherwise than by fair wear and tear, the outgoing occupants will be debited with the cost of lost articles and the repair of damaged ones.
6. In the case of out-stations an officer before leaving shall hand over the furniture in his charge to his successor or failing that to another officer at the station and get a receipt for same, the receiving officer making notes against any articles missing or damaged. A copy of the list shall be then sent to the Executive Engineer, Public Works Department, for the Province.
7. In the case of an officer leaving quarters without first handing over his furniture as above he will be liable for any repairs or deficiencies discovered at a later date.
8. On receipt of this Circular all officers in possession of Government furniture must immediately forward a complete list of the same to the nearest Executive Engineer, Public Works Department.
9. Such officers as, at the date of issue of this Circular, are in possession of furniture in excess of the prescribed scales mentioned above, may on application be allowed to retain such furniture as a special personal allowance to themselves. If at any time or for any reason they no longer wish to use such surplus furniture they are not to hand it over to other officials, but are to return it to the Public Works Department store, or notify the nearest Executive Engineer that it is ready for removal. All excess furniture returned to the Public Works Department store, and unfit for further issue will be sold by auction.
10. Such surplus furniture as is referred to in paragraph 9 may be purchased outright by the present users at a valuation which will be fixed by a Board of Officers. Application to purchase furniture must be made in the first instance to the Director of Public Works.
11. Movement from one building to another of any articles of furniture on the above-mentioned prescribed scales by any official other than Executive Engineers of the Public Works Department is prohibited.
12. All previous Regulations as to furniture allowances in the East Africa Protectorate are hereby cancelled.

By Order,

W. J. MONSON,
Acting Secretary.

RULES.

Rules issued by the Governor of the East Africa Protectorate under the provisions of the East Africa Townships Ordinance 1903 (No. 20 of 1903).

Nairobi,

J. HAYES SADLER,

Dated this 23rd day of August, 1907.

Governor.

Rule 37 in the "Township Rules 1904" is hereby cancelled and the following rule shall be substituted therefor:—

Rule 37.—"Every such room shall have a clear superficial area of not less than 100 square feet and shall have a window or windows opening directly into the external air with a window area of not less than one-eighth of the floor area, and also shall have a ventilating aperture of not less than 144 square inches."

"Every new building shall be provided with adequate means of ventilation."

RATES OF FOREIGN POSTAGE.

REVISION OF CHARGES IN ACCORDANCE WITH THE POSTAL UNION CONVENTION OF ROME.

In exercise of the powers conferred upon me by the Indian Post Office Act 1898 I hereby declare the rates of postage for letters posted in the East Africa Protectorate on and from the 1st day of October 1907 for transmission to countries abroad to be as follows:—

Letters for the United Kingdom, or for any of the British Possessions to which Imperial Penny Postage applies—

Not exceeding one ounce 6 cents.

For every one ounce or odd fraction of one ounce additional 6 cents.

Letters for Foreign Countries and for British Possessions to which Imperial Penny Postage does *not* apply—

Not exceeding one ounce 15 cents.

For every one ounce or odd fraction of one ounce additional 9 cents.

Nairobi,

J. HAYES SADLER,

The 9th day of September, 1907.

Governor.

NOTICE.

PARCEL POST WITH SOUTH AFRICA—REDUCED 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 the rates of postage for parcels posted in the East Africa Protectorate on and from 1st day of October 1907 for transmission to the under-mentioned 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.	cents.
For the first pound (avoirdupois)	0	81
For every succeeding lb. or part of 1 lb. up to a limit of 11 lbs.	0	50

Parcels for the Bechuanaland Protectorate and Rhodesia—

For the first lb.	1	50
For every succeeding lb. or part of 1 lb. up to a limit of 11 lbs.	1	25

Nairobi,

J. HAYES SADLER,

The 26th September, 1907.

Governor.

NOTICE.

The following boundaries of the Nandi Reserve, as accepted by the chiefs of the tribe at the close of the punitive operations in 1906, are sanctioned provisionally:—

On the North—Dudinet Hill—Ndonogaria Hill—Eldalat Hill—Nolosegelli River.

On the West—Morobusi Hill—Surangai Hill, thence following the edge of the Escarpment to Chabkaikak Hill. Thence to Chamagomwa Hill—Chepkirua Hill—Silumo Hill—Chapilat Hill.

On the South—Following edge of the Escarpment to the Nandi-Kibigori road at Chibongwa Hill, thence following the Nandi-Kibigori road to Kibigori Station, thence following the Railway to bridge over Kibigori River.

On the East—Kibigori River, Chapchuri River, Kundos River, Kirondiu River to the Nandi Fort-Kapsikak road, following road to Kapsikak Hill, thence East to Chamin River, and following the Chamin River round salt lick to the eastern bend of the Sclater road, thence in a straight line to Dudinet Hill.

Nairobi,
September 27th, 1907.

J. HAYES SADLER,
Governor.

NOTICE.

The following days will in future be observed throughout the Protectorate as general holidays, on which Government Offices will be closed:—

New Year's Day.
Good Friday.
Easter Monday.
Empire Day.
King's Birthday.
Christmas Day.
Boxing Day.

By Order,
W. J. MONSON,
Acting Secretary.

NOTICE.

In view of the urgency of preserving all Muhugu wood for fencing purposes to check the spread of disease amongst stock particularly East Coast Fever, notice is hereby given that on and after the 1st October no Muhugu wood (other than chips and wood too small for poles) will be allowed to be removed from the Government Forests for firewood.

On and after October 15th the free issue of Muhugu wood for firewood to natives will cease, with the exception of stumps of dead trees to be dug up in specified areas.

Nairobi,
September 26th, 1907.

J. MONTGOMERY,
Commissioner of Lands.

PROCLAMATION.

UNDER THE RAILWAY MATERIALS PROTECTION ORDINANCE 1903.

In exercise of the powers conferred upon me by Section 3 of the Railway Materials Protection Ordinance 1903, I hereby declare the aforesaid Ordinance shall apply to the Provinces of Seyidie, Ukamba and Naivasha.

Nairobi,
Dated this 6th day of October, 1907.

J. HAYES SADLER,
Governor.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

Whereas an outbreak of Pleuro Pneumonia has occurred in the Ravine District. Now therefore in exercise of the powers conferred upon me by the Diseases of Animals Ordinance 1906, I hereby declare the following area to be an infected area within the meaning of the aforesaid Ordinance:—All that area comprised within a circle having a radius of one mile from Oli wa Batrus Cattle boma, situated 3 miles East of Ravine Station one mile West of Narosura River, North of Nakuru road on Mr. Grant's land.

Nairobi,
Dated this 10th day of October, 1907.

J. HAYES SADLER,
Governor.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

Whereas an outbreak of East Coast Fever has occurred in the Province of Naivasha. Now therefore in exercise of the power conferred upon me by the Diseases of Animals Ordinance 1906, I hereby declare the following area to be an infected area within the meaning of the aforesaid Ordinance:—All that area including the township of Naivasha having the following boundaries:—On the West Lake Naivasha, on the North the dry water course from the foot hills, on the South a line from the foot hills round the Masai Maniatta to the lake by the first Veterinary Quarantine boma.

Nairobi,
Dated this 10th day of October, 1907.

J. HAYES SADLER,
Governor.

PROCLAMATION.

Notice is hereby given that the Proclamation dated 29th May, 1907, is so far cancelled in that the movement of pigs may be allowed in the Kiambu district by special permit which may be obtained on personal application to the office of the Chief Veterinary Officer, Nairobi.

Nairobi,
Dated this 10th day of October, 1907.

J. HAYES SADLER,
Governor.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

Whereas an outbreak of East Coast Fever has occurred on the farms of Dr. Marsh and Messrs. Mabert and Evans on the North side of the road from Nairobi to Dr. Marsh's farm at Kirawa. Now therefore in exercise of the powers conferred upon me by the Diseases of Animals Ordinance 1906, I hereby declare the above farms to be infected areas within the meaning of the aforesaid Ordinance.

Nairobi,
Dated this 10th day of October, 1907.

J. HAYES SADLER,
Governor.

RULE.

Under the provisions of "The Indian Tramways Act 1886" as applied to the East Africa Protectorate.

Nairobi,
Dated this 1st day of October, 1907.

J. HAYES SADLER,
Governor.

MOMBASA TRAMWAY.

Nothing in the Rules issued under "The Indian Tramway Act 1886" and dated August 20th, 1907, shall be deemed to prohibit the use of the tramway line at any time by trolleys or trucks belonging to or used by the Post Office Department for the conveyance of Mails.

LIQUOR ORDINANCE 1902.

Rules issued by the Governor under the East Africa Liquor Ordinance 1902.

Nairobi,
October 3rd, 1907.

J. HAYES SADLER,
Governor.

RESTAURANT LICENCE.

1. A Provincial Commissioner may grant to the Proprietor or Manager of a Restaurant a licence to sell liquor by retail to persons taking meals in the restaurant in respect of which such licence has been granted to be drunk at such meals any day between the hours of ten o'clock in the morning and ten o'clock at night.

2. There shall be paid in respect of every such licence for six months or any period less than six months but more than three months Rupees 90 and for any period less than three months Rupees 50.

3. A licence under these rules shall expire on the 31st day of December of the year in which the licence is granted.

PROCLAMATION.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

Whereas an outbreak of Pleuro Pneumonia has occurred in the Province of Kenya NOW THEREFORE in exercise of the powers conferred upon me by the Diseases of Animals Ordinance 1906, I hereby declare the following area to be an infected area within the meaning of the aforesaid Ordinance:—All that area of land East of the Tana and Sagana Rivers in the Province of Kenya.

Mombasa,
Dated the 26th day of October, 1907.

J. HAYES SADLER,
Governor.

NOTICE.

EAST AFRICA MINING REGULATIONS 1902.

The provisions of the East Africa Mining Regulations 1902 and any Ordinance or Ordinances amending the same shall not apply to any area over which sole prospecting rights shall have been granted by the Secretary of State, the Governor, or the Commissioner of Mines during the term for which such rights shall have been granted except in so far as they shall be applied by the agreement respecting the grant of such rights.

Mombasa,
October 28th, 1907.

J. HAYES SADLER,
Governor.

NOTICE.

UNDER THE DISEASES OF ANIMALS ORDINANCE 1906.

In exercise of the powers conferred upon me by Section 5 of the Diseases of Animals Ordinance 1906, I hereby order that, owing to cattle disease in the Province of Tanaland, all animals should undergo 10 days' quarantine at Makoje on the Mainland before coming to any of the Islands in the Lamu archipelago.

Dated this 29th day of October, 1907.

J. HAYES SADLER,
Governor.

AT THE COURT AT BUCKINGHAM PALACE,

THE 9TH DAY OF SEPTEMBER, 1907.

Present :

THE KING'S MOST EXCELLENT MAJESTY.

Lord President.
Lord Denman.
Sir Charles Hardinge.
Mr. Harcourt.

HIS MAJESTY, by virtue and in exercise of the powers in this behalf vested in Him by the Colonial Prisoners' Removal Act, 1884, is pleased, by and with the advice of His Privy Council, to make the following Order as to the removal and return of prisoners and criminal lunatics under the said Act :—

I. Every prisoner removed under the said Act from a British Possession to the United Kingdom for the purpose of undergoing the residue of a sentence involving confinement in a prison combined with hard labour, shall, in the United Kingdom, be dealt with as follows, that is to say :—

If the original period of his sentence did not exceed two years, in the same manner, as if he had been sentenced in the United Kingdom to imprisonment with hard labour for the same period.

And if the original period of his sentence exceeded two years, in the same manner, as nearly as may be, as if he had been sentenced in the United Kingdom to penal servitude for the same period.

II. Every prisoner removed under the said Act from one British Possession to another British Possession for the purpose of undergoing the residue of a sentence shall in such last-mentioned British Possession be dealt with in the same manner as if he had there been sentenced to such punishment authorized by the law thereof as in the opinion of the Secretary of State signing the Order of Removal shall most nearly correspond to the punishment to which he was sentenced in the first-mentioned British Possession, and for the same period.

III. If the prisoner or criminal lunatic is to be removed to the United Kingdom—

- (1) A Secretary of State shall make out and sign the Order of Removal in duplicate and shall send one copy to the Governor of the Colony from which the prisoner is to be removed, and the Governor shall thereupon make out and sign in duplicate a Notification of Concurrence in the Order of Removal.
- (2) One copy of the Order of Removal shall be retained in the Colony and the other copy shall be transmitted by a Secretary of State to the Home Office for record.
- (3) One copy of the Notification of Concurrence shall be retained in the Colony and attached to the Order of Removal and the other shall be sent to a Secretary of State and shall by him be transmitted to the Home Office for record.

IV. If the prisoner or criminal lunatic is to be removed to a British Possession—

- (1) A Secretary of State shall make out and sign the Order of Removal in triplicate and shall send one copy to the Governor of each Colony concerned, who shall thereupon make out and sign in triplicate a Notification of Concurrence in the Order of Removal.
- (2) The Governor of the Colony from which the prisoner is to be removed shall retain the copy of the Order of Removal and one copy of the Notification of Concurrence which he shall attach to the Order of Removal, and shall send the second copy of the Notification to the Governor of the Colony to which the prisoner is to be removed, and the third copy of the Notification to a Secretary of State.
- (3) The Governor of the Colony to which the prisoner is to be removed shall retain the copy of the Order of Removal and one copy of the Notification of Concurrence which he shall attach to the Order of Removal, and shall send the second copy of

the Notification to the Governor of the Colony from which the prisoner is to be removed, and the third copy of the Notification to a Secretary of State.

Provided that the above procedure shall not apply to the removal of a prisoner or criminal lunatic from one British Possession to another in pursuance of an agreement made between such Possessions and sanctioned by Order in Council under the provisions of the Colonial Prisoners' Removal Act, 1869.

V. A Removal Warrant duly made out and signed shall be transmitted with every prisoner or criminal lunatic who is removed. The Warrant shall be handed over with the prisoner or criminal lunatic to every person from time to time authorized to receive him in custody for the purpose of giving effect to the Order of Removal.

VI. The forms in the Schedule to this Order or forms to the like effect varied as circumstances may require may be used under the said Act.

VII. This Order shall commence and come into operation on the first day of November, 1907.

VIII. The Order in Council of the thirteenth day of December, one thousand eight hundred and eighty nine, made under the Colonial Prisoners' Removal Act, 1884, shall continue in force until the commencement of this Order, and shall thereupon be revoked without prejudice to anything lawfully done thereunder.

IX. This Order may be cited as "The Colonial Prisoners' Removal Order in Council 1907."

A. W. FITZROY.

SCHEDULE REFERRED TO IN THE FOREGOING ORDER IN COUNCIL.

I.—ORDER OF REMOVAL OF A PRISONER.

Colonial Prisoners' Removal Act, 1884.

Whereas *A.B.* was on the _____ day of _____ convicted before the _____ Court of _____ of the crime (*or* offence) of _____ and sentenced to penal servitude (*or* imprisonment, *or* as the case may be) for the term of _____ years (*or* for life), and is now undergoing the said sentence in the Colony (*or* Protectorate, *or* _____) of _____:

And whereas it is likely that the life (*or* health) of the said *A.B.* will be endangered (*or* permanently injured) by further imprisonment in the said Colony (*or* Protectorate, *or* _____):

[*Or* whereas the said *A.B.* belonged at the time of committing the said offence to the Royal Navy (*or* to His Majesty's regular military forces)]:

[*Or* whereas the said offence was committed wholly (*or* partly) beyond the limits of the said Colony (*or* Protectorate, *or* _____)]:

[*Or* whereas by reason of there being no prison in the said Colony (*or* Protectorate, *or* _____) in which the said *A.B.* can properly undergo his sentence (*or* for other reasons to be stated) the removal of the said *A.B.* is expedient for his safe custody (*or* for more efficiently carrying his sentence into effect)]:

[*Or* whereas the said *A.B.* belongs to a class of persons who under the law of the said Colony (*or* Protectorate, *or* _____) are subject to removal under the Colonial Prisoners' Removal Act, 1884]:

Now I do hereby in pursuance of the Colonial Prisoners' Removal Act, 1884, with the concurrence of the Government of the said Colony (*or* Protectorate, *or* _____) [and the Government of the Colony (*or* Protectorate, *or* _____) of _____], order that the said *A.B.* be removed to the United Kingdom [*or* to the Colony (*or* Protectorate, *or* _____) of _____] there to undergo the residue of his sentence (with such variations of the conditions thereof as are or shall be provided by any regulations in force for the time being under the said Act) in accordance with the said Act.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State, this _____ day of _____ 190 _____.

II.—NOTIFICATION OF CONCURRENCE IN ORDER OF REMOVAL OF A PRISONER.

Colonial Prisoners' Removal Act, 1884.

Whereas an Order has been made under the Colonial Prisoners' Removal Act, 1884, by one of His Majesty's Principal Secretaries of State for the removal of *A.B.* a prisoner now in custody in the Colony (*or* Protectorate, *or* _____) of _____ to the United Kingdom [*or* the Colony (*or* Protectorate, *or* _____) of _____]:

Now I, the Governor (*or* Lieutenant-Governor *or* the Officer Administering the Government) of the Colony (*or* Protectorate, *or*) of
with the advice of the Executive Council of the said Colony (*or* Protectorate, *or*),
hereby concur in the said Order of Removal.

As witness my hand this day of 190 .

III.—WARRANT FOR REMOVAL OF A PRISONER.

Colonial Prisoners' Removal Act, 1884.

To *C.D.* the Keeper of the Prison and to *E.F.* and *G.H.*

Whereas an order has been made under the Colonial Prisoners' Removal Act, 1884, by one of His Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony (*or* Protectorate, *or*) of
[and the Government of the Colony (*or* Protectorate, *or*) of]
for the removal of *A.B.* a prisoner now in the custody of you, the said *C.D.*, under a sentence of penal servitude (*or* imprisonment *or*, as the case may be,) for the term of
years from the day of (*or* for life), to the United Kingdom
[*or* to the Colony (*or* Protectorate, *or*) of], there to undergo the residue of the said sentence.

Now I do hereby, in pursuance of the said Act, order you, the said *C.D.*, to deliver the body of the said *A.B.*, into the custody of the said *E.F.* and *G.H.*, or one of them; and I do hereby, in further pursuance of the said Act, authorize you, the said *E.F.* and *G.H.*, or either of you, to receive the said *A.B.*, into your custody, and to convey him to the United Kingdom [or to the Colony (*or* Protectorate, *or*) of], and to deliver him to such person or persons as shall be empowered by one of His Majesty's Principal Secretaries of State [*or* by the Governor of the said Colony (*or* Protectorate, *or*)] to receive him for the purpose of giving effect to the said Order of Removal.

And for so doing this shall be your warrant.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State (*or* Governor of), this day of 190 .

IV.—WARRANT OF RECEPTION OF A PRISONER.

Colonial Prisoners' Removal Act, 1884.

Whereas was on the day of 19 , convicted in the Court of of the crime of and sentenced to :

And whereas in pursuance of the provisions of the Colonial Prisoners' Removal Act, 1884, an Order has been made by one of His Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony (*or* Protectorate, *or*) of [and of the Government of this Colony (*or* Protectorate, *or*)] for the removal of the said to the United Kingdom [*or*, to this Colony (*or* Protectorate *or*)] there to undergo the residue of his sentence; and whereas the Governor of the Colony (*or* Protectorate, *or*) of by a warrant under his hand ordered the said to be conveyed to the United Kingdom [*or*, this Colony (*or* Protectorate, *or*)] and delivered to such person or persons as shall be empowered by one of His Majesty's Principal Secretaries of State [*or* the Governor of this Colony (*or* Protectorate, *or*)] to receive him for the purpose of giving effect to the said Order of Removal.

Now I, the Right Honourable one of his Majesty's Principal Secretaries of State [*or*, the Governor of the Colony (*or* Protectorate, *or*)] hereby authorize and empower the Governor of H. M. Prison and all persons acting under his orders, to receive and detain the said for the purpose of giving effect to the said Order of Removal; and I further authorize and empower the Governor of any other of H. M. Prisons to which the said may be removed from Prison and all persons acting under his orders to receive and detain the said for the purpose of undergoing the residue of his sentence in such Prison.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State (*or* Governor of), this day of 19 .

V.—ORDER FOR THE RETURN OF A PRISONER TO A BRITISH POSSESSION.

Colonial Prisoners' Removal Act, 1884.

Whereas *A.B.* was on the _____ day of _____, 19____, convicted before the _____ Court of _____ of the crime (or offence) of _____ and sentenced to penal servitude (or imprisonment, or as the case may be), for the term of _____ years (or for life).

And whereas the said *A.B.* has been removed, under the Colonial Prisoners' Removal Act, 1884, from the Colony (or Protectorate, or _____) of _____ to _____ and is now undergoing his said sentence in the United Kingdom [or the Colony (or Protectorate, or _____) of _____].

Now I, _____ [with the advice of the Executive Council of the said Colony, (or Protectorate, or _____) of _____] hereby, in pursuance of the said Act, order that the said *A.B.* shall be returned to the said Colony (or Protectorate, or _____) of _____, there to undergo the residue (or for the purpose of being there discharged at the expiration) of his said sentence.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State [or Governor (or Lieutenant-Governor, or Officer Administering the Government) of the Colony (or Protectorate, or _____) of _____] this _____ day of _____ 190____.

VI.—WARRANT FOR RETURN OF A PRISONER TO A BRITISH POSSESSION.

Colonial Prisoners' Removal Act, 1884.

To *C.D.*, the Governor (or _____) of the _____ Prison, and to *E.F.* and *G.H.*

Whereas *A.B.*, having been sentenced by the _____ Court of _____ to penal servitude (or imprisonment, or, as the case may be) for the term of _____ years from the _____ day of _____ 19____, (or for life) has under an order duly made under the Colonial Prisoners' Removal Act, 1884, been removed to the United Kingdom [or to the Colony or Protectorate, or _____] of _____ and is now in the custody of you the said *C.D.*, undergoing his said sentence.

And whereas an order has been made under the said Act by one of His Majesty's Principal Secretaries of State [or by the Government of the said Colony (or Protectorate or _____) of _____] for the return of the said *A.B.*, to the said Colony (or Protectorate, or _____) of _____ there to undergo the residue (or for the purpose of being there discharged at the expiration) of his said sentence.

Now I do hereby, in pursuance of the said Act, order you, the said *C.D.*, to deliver the body of the said *A.B.*, into the custody of the said *E.F.* and *G.H.*, or one of them; and I do hereby, in further pursuance of the said Act, authorize you the said *E.F.* and *G.H.*, or either of you, to receive the said *A.B.*, into your custody, and to convey him to the Colony (or Protectorate, or _____) of _____, and to deliver him to such person or persons as shall be empowered by the Governor of the said Colony (or Protectorate, or _____) to receive him for the purpose of giving effect to the said order return.

And for so doing this shall be your warrant.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State (or Governor of _____) this _____ day of _____ 190____.

VII.—ORDER OF REMOVAL OF A CRIMINAL LUNATIC.

Colonial Prisoners' Removal Act, 1884.

Whereas *A.B.* is in custody in the Colony (or Protectorate, or _____) of _____ as a criminal lunatic having been charged with the offence of _____ and found to have been insane at the time of such offence (or to be unfit on the ground of insanity to be tried for such offence) [or having been convicted of the offence of _____ and sentenced to penal servitude (or imprisonment, or _____) for the term of _____ years from the _____ day of _____ 19____ (or for life) and afterwards certified (or lawfully proved) to be insane]:

And whereas it is likely that the life (or health) of the said *A.B.* will be endangered (or permanently injured) by further detention in custody in the said Colony (or Protectorate, or _____):

[Or whereas the said *A.B.* belonged at the time of the said offence to the Royal Navy (or to His Majesty's regular military forces)]:

[Or whereas the said offence was committed wholly (or partly) beyond the limits of the said Colony (or Protectorate, or)]:

[Or whereas by reason of there being no asylum in the said Colony (or Protectorate, or), in which the said *A.B.* can be properly or conveniently detained and dealt with as a criminal lunatic, his removal to the United Kingdom (or to the Colony (or Protectorate, or) of) is expedient]:

[Or whereas the said *A.B.* belongs to a class of persons who, under the law of the said Colony (or Protectorate, or) are subject to removal under the Colonial Prisoners' Removal Act, 1884]:

Now I do hereby, in pursuance of the Colonial Prisoners' Removal Act, 1884, with the concurrence of the Government of the said Colony (or Protectorate, or) [and the Government of the Colony (or Protectorate, or) of] order that the said *A.B.* be removed to the United Kingdom [or to the Colony (or Protectorate, or) of] there to be detained in custody as a criminal lunatic, and dealt with in the same manner as if he had there become a criminal lunatic.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State this day of 190 .

VIII.—NOTIFICATION OF CONCURRENCE IN ORDER OF REMOVAL OF A CRIMINAL LUNATIC.

Colonial Prisoners' Removal Act, 1884.

Whereas an Order has been made under the Colonial Prisoners' Removal Act, 1884, by one of His Majesty's Principal Secretaries of State for the removal of *A.B.* a criminal lunatic now in custody in the Colony (or Protectorate, or) of to the United Kingdom [or the Colony (or Protectorate or) of]:

Now I, the Governor (or Lieutenant-Governor, or Officer Administering the Government) of the Colony (or Protectorate, or) of with the advice of the Executive Council of the said Colony (or Protectorate, or) hereby concur in the said Order of Removal.

As witness my hand this day of 190 .

IX.—WARRANT FOR REMOVAL OF CRIMINAL LUNATIC.

Colonial Prisoners' Removal Act, 1884.

To *C.D.*, the keeper of Lunatic Asylum, and to *E.F.* and *G.H.*

Whereas an order has been made, under the Colonial Prisoners' Removal Act, 1884, by one of His Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony (or Protectorate, or) of [and the Government of the Colony (or Protectorate, or) of], for the removal of *A.B.*, a criminal lunatic now in the custody of you, the said *C.D.*, to the United Kingdom [or the Colony (or Protectorate, or) of] to be there dealt with in the same manner as if he had become a criminal lunatic in the United Kingdom [or the said Colony (or Protectorate, or) of]:

Now I do hereby, in pursuance of the said Act, order you, the said *C.D.*, to deliver the body of the said *A.B.* into the custody of the said *E.F.* and *G.H.*, or one of them; and I do hereby, in further pursuance of the said Act, authorize you, the said *E.F.* and *G.H.*, or either of you, to receive the said *A.B.* into your custody, and to convey him to the United Kingdom [or to the Colony (or Protectorate, or) of], and to deliver him to such person or persons as shall be empowered by one of His Majesty's Principal Secretaries of State [or Governor of the said (or Protectorate, or)] to receive him for the purpose of giving effect to the said Order of Removal.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State (or the Governor of) this day of 190 .

X.—WARRANT OF RECEPTION OF A CRIMINAL LUNATIC.

Colonial Prisoners' Removal Act, 1884.

Whereas is in custody in as a criminal lunatic, having been charged with the offence of and found to be insane at the time of such offence (or to be unfit on the ground of insanity to be tried for such offence) [or having been convicted of the offence of and sentenced to and afterwards certified (or lawfully proved) to be insane]:

And whereas in pursuance of the provisions of the Colonial Prisoners' Removal Act, 1884, an Order has been made by one of His Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony (*or* Protectorate, *or*) of [and of the Government of this Colony (*or* Protectorate, *or*)] for the removal of the said to the United Kingdom [for this Colony (*or* Protectorate, *or*)] there to be detained as a criminal lunatic until he shall have ceased to be a criminal lunatic or shall otherwise lawfully be discharged :

And whereas the Governor of the Colony (*or* Protectorate, *or*) of by a Warrant under his hand, ordered the said to be conveyed to the United Kingdom [*or* to this Colony (*or* Protectorate, *or*)] and delivered to such person or persons as shall be empowered by one of His Majesty's Principal Secretaries of State [*or* the Governor of this Colony (*or* Protectorate, *or*)] to receive him for the purpose of giving effect to the said Order of Removal :

Now I, the Right Honourable one of His Majesty's Principal Secretaries of State [*or* the Governor of the Colony (*or* Protectorate, *or*) of] hereby authorize and empower the Medical Superintendent of the Lunatic Asylum, and all persons acting under his orders, to receive and detain the said in the same manner as if he had become a criminal lunatic in the United Kingdom [*or* this Colony (*or* Protectorate, *or*)] until His Majesty's Pleasure be further known concerning him.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State (*or* the Governor of) this day of 190 .

XI.—ORDER FOR THE RETURN OF A CRIMINAL LUNATIC TO A BRITISH POSSESSION.

Colonial Prisoners' Removal Act, 1884.

Whereas *A.B.*, having been in custody in the Colony (*or* Protectorate, *or*) of as a criminal lunatic, has been removed, under the Colonial Prisoners' Removal Act, 1884, to, and is now in custody as a criminal lunatic in, the United Kingdom [*or* the Colony (*or* Protectorate, *or*) of]:

And whereas I [*or* the Government of the said Colony (*or* Protectorate, *or*) of] consider that the said *A.B.* has become sufficiently sane to be tried for the offence with which he was charged in the said Colony (*or* Protectorate, *or*) of :

Now I [with the advice of the Executive Council of the said Colony (*or* Protectorate, *or*)] hereby, in pursuance of the said Act, order that the said *A.B.* be returned to the said Colony (*or* Protectorate, *or*) there to be dealt with in the same manner as if he had not been removed therefrom.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State [*or* the Governor (*or* Lieutenant-Governor, *or* Officer Administering the Government) of the Colony (*or* Protectorate, *or*) of] this day of 190 .

XII.—WARRANT FOR RETURN OF A CRIMINAL LUNATIC TO A BRITISH POSSESSION.

Colonial Prisoners' Removal Act, 1884.

To *C.D.*, the of the Lunatic Asylum, and to *E.F.* and *G.H.*

Whereas *A.B.*, having been in custody as a criminal lunatic in the Colony (*or* Protectorate, *or*) of has under an order duly made under the Colonial Prisoners' Removal Act, 1884, been removed to the United Kingdom [*or* to the Colony (*or* Protectorate, *or*) of] and is now in the custody of you, the said *C.D.*, as a criminal lunatic :

And whereas an order has been made under the said Act by one of His Majesty's Principal Secretaries of State [*or* by the Government of the said Colony (*or* Protectorate, *or*) of] for the return of the said *A.B.* to the said Colony (*or* Protectorate, *or*) of]:

Now I do hereby, in pursuance of the said Act, order you, the said *C.D.*, to deliver the body of the said *A.B.* into the custody of the said *E.F.* and *G.H.*, or one of them ; and I do hereby, in further pursuance of the said Act, authorize you, the said *E.F.* and *G.H.*, or either of you, to receive the said *A.B.* into your custody, and to convey him to the Colony (*or* Protectorate, *or*) of and deliver him to such person or persons as shall be empowered by the Governor of the said Colony (*or* Protectorate, *or*) to receive him for the purpose of giving effect to the said order of return.

And for so doing this shall be your warrant.

Given under the hand of the undersigned, one of His Majesty's Principal Secretaries of State (*or* Governor of) this day of 190 .

RULES.

RULES ISSUED UNDER THE PROVISIONS OF THE TOWNSHIPS ORDINANCE 1903.

REGISTRATION OF BOATS AT KISMAYU.

1. These rules shall apply to the Township of Kismayu.
2. All boats plying for hire in the harbour of Kismayu shall be registered and licensed by the Port Officer or his representative at Kismayu. Boats in Kismayu to be licensed.
Licences shall be for one year only and shall be renewable on the first day of October in each year.
3. The charge for a licence shall be in accordance with the scale laid down in the Schedule annexed hereto. Fees to be paid in accordance with Schedule.
4. The number of passengers each boat is allowed to carry shall be entered on the licence, and the registered number of each boat shall be legibly painted on both sides of the bow thereof. Load limit to be entered in licence.
5. No boat shall carry at any one time more than the number of passengers allowed by the licence. No boat to carry more passengers than are allowed by the licence.
6. A copy of the tariff of fares annexed hereto shall be printed on the back of each licence. Tariff of fares to be printed on licence.
The licence shall be produced when asked for by a passenger. The licence to be produced when asked for.
7. 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. Boat owners may not refuse to take fares.
8. The owner of any boat not licensed under these rules who shall ply for hire in the harbour of Kismayu shall be guilty of an offence and shall be liable to a fine not exceeding Rs. 75/- and in default of payment to imprisonment of either description for a term not exceeding one month. Penalty on owners of boat not licensed for plying for hire.
9. The Provincial Commissioner or his representative at Kismayu may refuse to issue a licence in the case of an unsuitable boat or to an applicant who has had a previous licence endorsed for misconduct. Licence may be refused.
10. No boat shall approach a ship arriving in port until such ship is at anchor and permission to do so shall have been given by the Medical Officer or the representative of the Port Officer. Boats not to approach ship till at anchor.
11. No boat holding a passengers licence only shall carry cargo other than passengers personal luggage. Passenger licence does not cover cargo.
12. Boats leaving the side of or going to ships must proceed direct to or from a Customs landing and not land or carry passengers or goods elsewhere. Passengers and goods to land at or carry from the Customs.
13. Every licensed boat shall when so ordered by the representative of the Port Officer be liable to take night duty in rotation when there are vessels in the harbour. Night duty.
14. The number of passengers a boat licensed under these rules can carry will be decided by the representative of the Port Officer and approved by the Provincial Commissioner at Kismayu. Number of passengers to be decided by the representative of the Port Officer.
15. The owner or member of the crew of any boat licensed under these rules who shall be guilty of any breach of these rules or of the licence shall for every offence be liable to a fine not exceeding Rs. 75/- and in default to imprisonment not exceeding one month. Penalty.

J. HAYES SADLER,
Governor.

RATES.

	From Kismayu to Steamer in harbour.		From Kismayu to Steamer at the point.	
	Rs.	Cents.	Rs.	Cents.
6 a.m. to 7 p.m. per passenger single trip	—	19	—	25
Personal luggage per package	—	9	—	15
Cargo, such as bundles of hides, dry fish, fish fins, per 100 packages	40	0	45	0
All other cargo per 100 packages	8	0	10	0
Camel	1	0	1	50
Bullock or donkey per head	—	50	—	75
Goat or sheep	—	6	—	8
Horse	1	50	2	—
Mule	1	0	1	37

NOTE.—For each passenger double journey double the above fares.

Between 7 p.m. and 6 a.m. double the above fares.

For every hour's detention by day 38 cents.

at night 50 cents.

"Whole" day class I Rs. 4.

Whole day class II Rs. 6.

SCHEDULE.

SCALE OF FEES UNDER SECTION 2.

TABLE OF FEES FOR LICENCE FOR BOATS AT KISMAYU.

The charge for licence and registration shall be—

- | | | |
|----------|--|-------------------------|
| Class 1. | For a boat licence to carry not more than 5 passengers | Rs. 6. |
| „ 2. | For every additional passenger beyond 5 | „ 1 in addition. |
| „ 3. | For licence to carry cargo in addition | „ 4. |

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:—

VOI. The area comprised within a circle having a radius of 2 miles with the main entrance to the Voi Railway Station as centre.

Mombasa,

Dated this 6th day of November, 1907.

J. HAYES SADLER,

Governor.

NOTICE.

The Commissioner of Lands has been authorised to execute on behalf of His Excellency the Governor any conveyance or lease under the Crown Lands Ordinance and to consent on his behalf to assignments and sub-leases.

NOTICE.

On and after November 15th Government Office hours will be as follows:—

AT NAIROBI:

From 9 a.m. to 4 p.m. with an interval of 1 hour.

AT MOMBASA:

From 8.30 a.m. to 12.30 p.m. and from 2 p.m. to 4 p.m.

F. J. JACKSON,

Lieut.-Governor.

PROCLAMATION.

WHEREAS THE DOMINIONS OF HIS HIGHNESS THE SULTAN OF WITU are under the protection of His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India, and form part of the territories known as the British East Africa Protectorate AND WHEREAS His Majesty has jurisdiction by Treaty, Grant, Usage, Sufferance and other lawful means within the said Protectorate AND WHEREAS in exercise of the said jurisdiction laws have been made and are from time to time made for the said Protectorate by or with the approval and in accordance with the Orders of His Majesty AND WHEREAS doubts have been expressed as to whether the laws so made do apply to that part of the said Protectorate as is within the Dominions of His Highness the Sultan of Witu. NOW THEREFORE KNOW ALL MEN THAT I, OMAR BIN MAHOMED SULTAN OF WITU do hereby proclaim and declare that ALL LAWS already made or which may hereafter be made for the British East Africa Protectorate by or with the authority of His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India, are and shall be in force within my Dominions save in so far as any such law shall provide to the contrary, and shall be enforced by my Officers and by such Officers as His Majesty may be pleased to appoint to assist me in administering the said laws and the Government of my Dominions.

OMAR BIN MAHOMED,
Sultan of Witu.

October 17th, 1907.

RULES.

Rules issued by His Excellency the Governor under the provisions of "The East Africa Townships Ordinance 1903-06."

Nairobi,

J. HAYES SADLER,

November 7th, 1907.

Governor.

(1) These rules shall apply to the township of Nakuru.

(2) The Provincial Commissioner of the Province of Naivasha shall nominate annually a Committee consisting of two Protectorate Officials, one of whom shall be the District Commissioner of the district, one Railway Official subject to the concurrence of the Manager of the Uganda Railway, and two European non-official residents in the Township.

(3) The Committee shall from time to time frame and submit to the Governor for his approval rules for the health, order and good Government of the Township of Nakuru.

(4) Meetings of the Nakuru Municipal Committee shall be held at regular intervals provided that special meetings may be convened when required by the District Commissioner or at the written request of two members on giving one week's notice of such special meeting to every member. Three members shall form a quorum for the transaction of business.

All resolutions of the aforesaid Committee shall be passed by a majority of the members present and in the event of there being an equal number of votes for and against any motion the Chairman shall have a casting vote.

(5) These rules may be cited as "The Nakuru Township Rules (No. 1 of 1907)."

Naivasha,

J. HAYES SADLER,

November 7th, 1907.

Governor.

PROCLAMATION.

In exercise of the powers conferred upon me by Section 8 of the Indian Stamp Act 1899, I hereby remit the duties chargeable on the following:—

(a) Agreements made with the Uganda Railway Administration for conveyance of goods.

(b) Such Agreements made with the Uganda Railway Administration which purport to limit the responsibility of the Railway Administration as are in a form approved by the Governor in Council under sub-section (2) of that Section.

(c) Indemnity Bonds given to Railway authorities by consignees (when the Railway receipt is not produced) in respect of the delivery of consignments of fresh fish, fruits, vegetables, bread, meat, ice and other perishable articles.

(d) Receipts given by the Uganda Railway Administration for fares for conveyance of passengers or goods or both or animals, and to the said Administration for refunds of overcharges made in respect of such fares.

J. HAYES SADLER,

Dated this 20th day of November, 1907.

Governor.

NOTICE.

In exercise of the provisions of the East Africa Marriage Ordinance 1902, Section 6, I hereby give notice that I have licensed the chapels of the Missione della Consolata at the following places to be places for the celebration of Marriages :—

Fort Hall.
Tusu.
Kanchangiru.
Mogoiri.
Wambugu.
Nyeri.
Karima.

Nairobi,
November 19th, 1907.

J. HAYES SADLER,
Governor.

NOTICE.

On and after the 1st December Government Office hours at Kisumu will be :—
8.30 a.m. to 12.30 p.m. and 2 p.m. to 4 p.m. Mondays to Fridays inclusive,
and from 8.30 a.m. to 12.30 p.m. on Saturdays.

JOHN AINSWORTH,
Provincial Commissioner.

Approved :
F. J. JACKSON,
Lieutenant-Governor.

NOTICE.

It is hereby notified for general information that in future, when sanction is required for any sublease for a period of less than one year, no consent fee will be charged.

Nairobi,
Dated this 29th day of November, 1907.

J. MONTGOMERY,
Commissioner of Lands.

NOTICE.

Applicants for land and any other persons who may have business with the Land Department of the East Africa Protectorate are hereby informed that all correspondence and business transactions will be carried on with either the person himself or his Solicitor or Agent. If it is the wish of any person to place his business with the Department in the hands of a Solicitor or Agent, he must give notice in writing to the Land Officer and all business must, after the date of appointment, be transacted by the Solicitor or Agent only and not by the person who appointed him. Business will not be transacted with any Solicitor or Agent who claims to have been appointed to act on behalf of any person, and no information whatever will be given about that person or his business with the Department unless the Solicitor or Agent has been registered as acting or produces a letter from the person authorising him to act for him or unless the Land Officer has been duly notified of his appointment beforehand. When any person wishes to discontinue the employment of a Solicitor or Agent, or to appoint a person to take his place, notice in writing must be given to the Land Officer and all future correspondence, &c., will be addressed to the person himself or to the person appointed to act for him.

Nairobi,
November 16th, 1907.

R. BARTON WRIGHT,
Land Officer.

RULES OF COURT No. 3 OF 1907.

Rules made by the High Court with the approval of his Excellency the Governor under Article 22 of the East Africa Order in Council 1902 and Article 11 of the East Africa Order in Council 1906.

(1) These Rules may be cited as Rules of Court (Appeals by Natives) No. 3 of 1907.

Petition of appeal
must be in writing.

(2) Every petition of appeal shall be in writing and shall contain the grounds on which the applicant relies.

Places of filing
appeal.

(3) An appeal may be filed :—

(a) In the Court passing the decree, judgment, order or sentence appealed against.

- (b) In a local registry under rules of Court (No. 2 of 1904).
 (c) In the High Court at Mombasa.

(4) An appeal must be filed within thirty days of the date of any decree, judgment, order or sentence appealed against. Time for filing.

(5) If the appellant is illiterate his petition shall be reduced to writing by the Officer with whom it is filed, and officers shall assist ignorant persons to put their appeals in proper form. Illiterate appellant.

(6) The petition if filed elsewhere than in the High Court or a local Registry shall together with the original records be transmitted forthwith to the Registrar of the High Court who will give all necessary directions in the matter. Procedure.

(7) The attendance of an appellant shall not be necessary to the hearing of an appeal. Attendance of appellant not necessary.

(8) In criminal cases requiring confirmation or where an appeal has been lodged the accused may be admitted to bail by the Court which has passed the order or sentence. Bail.

Approved :
 J. HAYES SADLER,
 Governor.

R. W. HAMILTON,
 J. W. BARTH,
 Judges of the High Court.

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY
 SECTION 5 OF THE COURTS ORDINANCE 1907,

I hereby invest the Town Magistrates of Mombasa, Nairobi and Kisumu, and the Magistrates of Subordinate Courts of the 1st and 2nd Class, with the following powers respectively, that is to say :—

TOWN MAGISTRATES OF MOMBASA, NAIROBI AND KISUMU.

1. Power to require security for good behaviour in case of sedition, Section 108.
2. Power to require security for good behaviour, Section 110.
3. Power to make orders as to local nuisances, Section 133.
4. Power to make orders prohibiting repetitions of nuisances, Section 143.
5. Power to make orders under Section 144.
6. Power to hold inquests, Section 174.
7. Power to issue process for person within local jurisdiction who has committed an offence outside the local jurisdiction, Section 186.
8. Power to take cognizance of offences upon complaint, Section 190.
9. Power to take cognizance of offences without police reports, Section 160.
10. Power to take cognizance of offences without complaint, Section 190.
11. Power to try summarily, Section 260.
12. Power to sell property alleged or suspected to have been stolen, Section 524.
13. Power to order released convicts to notify residence, Section 565.

MAGISTRATES OF SUBORDINATE COURTS OF FIRST CLASS.

1. Power to require security for good behaviour, Section 110.
2. Power to make orders as to local nuisances, Section 133.
3. Power to make orders prohibiting repetitions of nuisances, Section 143.
4. Power to make orders under Section 144.
5. Power to hold inquests, Section 174.
6. Power to issue process for person within local jurisdiction who has committed an offence outside the local jurisdiction, Section 186.
7. Power to take cognizance of offences upon complaint, Section 190.
8. Power to take cognizance of offences without police reports, Section 160.
9. Power to take cognizance of offences without complaint, Section 190.
10. Power to sell property alleged or suspected to have been stolen, Section 524.
11. Power to order released convicts to notify residence, Section 565.

MAGISTRATES OF SUBORDINATE COURTS OF THE SECOND CLASS.

1. Power to make orders prohibiting repetitions of nuisances, Section 143.
2. Power to make orders under Section 144.
3. Power to hold inquests, Section 174.
4. Power to take cognizance of offences upon complaint, Section 190.

5. Power to take cognizance of offences upon police reports, Section 190.
6. Power to take cognizance of offences without complaint, Section 190.
7. Power to commit for trial, Section 206.
8. Power to make order as to first offenders, Section 562.

December 12th, 1907.

J. HAYES SADLER,
Governor.

APPOINTMENT.

In exercise of the powers conferred upon me by Section 5 of the Courts Ordinance 1907, I hereby confer upon the Town Magistrates of Nairobi and Kisumu respectively the powers of a District Court over insolvent Judgment-debtors under Chapter XX of the Code of Civil Procedure Act No. XIV of 1882.

December 12th, 1907.

J. HAYES SADLER,
Governor.

PROCLAMATION.

UNDER THE MOHAMEDAN MARRIAGE AND DIVORCE ORDINANCE 1906.

Whereas by Article 26 of the Mohamedan Marriage and Divorce Registration Ordinance 1906, the Governor may by Proclamation apply the said Ordinance to any area or to any tribe, sect or community within any area and fix the day on which such Ordinance shall commence and take effect in such area. Now therefore in exercise of the powers conferred upon me by the precited Article 26, I, James Hayes Sadler, do hereby direct that the Mohamedan Marriage and Divorce Registration Ordinance 1906 shall, until further notice, apply to all Native Mohamedans in the Mainland dominions of H.H. the Sultan of Zanzibar and the Sultanate of Witu and shall commence and take effect from the first day of April One thousand nine hundred and eight.

Mombasa,
Dated this 2nd day of December, 1907.

J. HAYES SADLER,
Governor.

RULES

Issued by His Excellency the Governor of the East Africa Protectorate, under the Provisions of the Mohamedan Marriage and Divorce Registration Ordinance, 1906.

Mombasa,
Dated this 2nd day of December, 1907.

J. HAYES SADLER,
Governor.

1. The following fees shall be levied throughout the area to which the Mohamedan Marriage and Divorce Registration Ordinance 1906 has, by Proclamation, been applied :—

- | | | |
|-----|---|-----------|
| (a) | For the Registration of a Marriage | Rs. 1 |
| (b) | Do. do. Divorce | „ 2 |
| (c) | For the inspection of any specified entry in a Register or Index | 50 Cents. |
| (d) | For a general search of any Register or Index, for each year searched (with a maximum fee of Rs. 10) | Rs. 1 |
| (e) | For the copy of any entry in a Register or Index other than the first copy referred to in Section 14 of the Ordinance... .. | „ 1 |

2. Under Section 23 (i).—In the event of the contracting Parties desiring the presence of a Registrar at the celebration of the marriage the Registrar shall attend on being given sufficient notice thereof and shall be entitled to receive and retain the customary remuneration (Ada).

3. Under Section 23 (ii).—On payment of the fee prescribed any person shall be entitled to receive a certified copy of any entry in a Register or Index.

RULES.

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

Mombasa,
Dated this 2nd day of December, 1907.

J. HAYES SADLER,
Governor.

THESE RULES SHALL APPLY TO LIVERY STABLES AT NAIROBI ONLY.

1. The floor of stables should be made of:—
 - (a) Cement concrete, or
 - (b) Asphalt, or
 - (c) Flagstones with cemented joints, or
 - (d) Any other material approved by the Medical Officer of Health.
2. The floor should be constructed so as to have a slight fall leading to a cesspool outside the stable, which cesspool must be emptied at least once a day.
3. The wall of the cesspool must be at least 3 inches above the level of the ground and covered in so as to prevent surface water from gaining entrance.
4. The manure must not be allowed to remain on the ground, but must either be collected into a heap for removal daily or placed in a utensil in a covered shed, which should be emptied at least three times a week to prevent it from becoming a nuisance. This shed should not communicate directly with the stable.
5. The amount of cubic space available for each horse should be at least six hundred cubic feet.
6. VENTILATION: In the event of the stables being constructed as a closed building, louvred openings are to be made at two opposite sides of the building, and the total area of these openings should be one sixth of the total amount of the floor space. The roof of the building should be constructed with an opening along the ridge to act as an outlet.
7. There should be an adequate supply of good water for drinking, washing, &c.
8. The method employed for draining the building must in every case be such as to meet the requirements of any rules in force from time to time.

RULES.

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

Mombasa,
December 2nd, 1907.

J. HAYES SADLER,
Governor.

1. No animal shall be slaughtered for meat unless it has been inspected by a Veterinary Officer within 48 hours of the time of slaughter.
2. The Veterinary Officer will attend at the Cattle Pound or at such place as he may appoint at 8 o'clock every morning to inspect animals intended for slaughter.
3. Each animal passed as fit for slaughter will be branded with a particular mark.
4. The Slaughter-House Clerk may seize and detain any animal brought to the slaughter house which does not bear the Veterinary Officer's brand.
5. These rules shall apply to the Township of Mombasa.

RULES.

Rules issued by the Governor of the East Africa Protectorate under the East Africa Liquor Ordinance, 1902.

Mombasa,
Dated the 4th day of December, 1907.

J. HAYES SADLER,
Governor.

1. No licence 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, 1908.
2. Rule 1 of the rules issued under the East Africa Liquor Ordinance, 1902, and dated November 19th, 1906, and the rules issued under the aforesaid Ordinance and dated June 5th, 1907, are hereby cancelled.

