

EAST AFRICA PROTECTORATE.

ORDINANCES AND REGULATIONS,

VOL. XVII.

January 1st, to December 31st, 1915.

NAIROBI.

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1915.

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Schedule of Legislation for the year 1915, showing
the effect upon existing Laws.

No. of Ordinance.	Subject.	Effect upon existing laws.
1 of 1915	Additional provision for the Financial year 1913-14.	
2 of 1915	Exemption of goods imported as gifts to troops.	To be read with the Customs Tariff Ordinance, 1909.
3 of 1915	Further definition of the term "Labour Agent".	To be read with the Master and Servants Ordinance, 1910.
4 of 1915	Restriction of Exports.	To be read with the Customs Ordinance, 1910.
5 of 1915	Sale of Land by Women.	Repeals Regulations of April 26th, 1897 and part of Section 39 of the Registration Regulations, 1901.
6 of 1915	Censorship of the Press.	
7 of 1915	Formation of Volunteer Corps	
8 of 1915	Remission of death duty in the case of persons killed during the present War.	
9 of 1915	Emergency powers to Courts during the present War.	
10 of 1915	Trading with the Enemy.	
11 of 1915	Loan of £1,868,000.	
12 of 1915	Disposal of Crown Lands.	Repeals the Crown Lands Ordinance, 1902 and the Crown Lands (Access to Roads) Ordinance, 1914.
13 of 1915	Financial provision for the year 1915-16.	
14 of 1915	Control of Motor Traffic.	
15 of 1915	Registration of Natives.	
16 of 1915	Enlistment and conditions of Service of Forest Guards.	To be read with the Forest Ordinance, 1911.
17 of 1915	Powers of Courts in the case of Lunatics residing without the Protectorate.	To be read with the Indian Lunacy (District Courts) Act, 1858.
18 of 1915	British and Colonial Probates.	Amends Section 9 of the British and Colonial Probates Ordinance, 1914.
19 of 1915	Mining.	Repeals proviso to Section 73 XXVI of the Mining Ordinance, 1912.
20 of 1915	Exemption from duty of Electric cable or wire, etc.	Repeals part of Table III Section 18 of the Customs Tariff Ordinance, 1909.
21 of 1915	Improvement of coconut planting industry.	
22 of 1915	Sale of Native Intoxicating Liquors.	
23 of 1915	Regulating the trade in coconuts and copra.	
24 of 1915	Trading with the Enemy.	Amends Sections 1 (2) (b), 1 (2) (c), 4, and 14 of Ordinance No. 10 of 1915.
25 of 1915	To make evidence of previous convictions admissible.	To be read with Section 84 of the Indian Evidence Act, 1872.
26 of 1915	Emergency powers to Courts during the present War.	Amends Section 2 (3) of Ordinance No. 9 of 1915.
27 of 1915	Registration of leases, etc., for a term not exceeding one year not to be compulsory.	To be read with the Registration Regulations, 1901.
28 of 1915	Regulations to be observed in the sale of poisons, and conditions under which companies may carry on the business of a druggist.	To be read with the Drugs and Poisons Ordinance, 1909.
29 of 1915	Recruitment of native followers for the Military Forces.	
30 of 1915	Registration of adult Persons in the Protectorate.	
31 of 1915	Compulsory Military and other Service.	
32 of 1915	Diseases of Animals.	To be read with the Diseases of Animals Ordinance, 1906, and adds a subsection to §. 8 thereof.

Schedule of Legislation for the year 1915, showing
the effect upon existing Laws.—(Contd.)

No. of Ordinance.	Subject.	Effect upon existing laws.
33 of 1915	Native Liquor.	Suspends operation of § 32 of Native Liquor Ordinance, 1915 and revives the Native Liquor Ordinance, 1907 as amended by the Native Intoxicating Liquor Ordinance, 1908.
34 of 1915	Customs Tariff.	Amends the Table of Export Duties in the Customs Tariff Ordinance, 1909 as amended by the Customs Tariff Amendment (No. 2) Ordinance, 1912.
35 of 1915	Native Registration.	Amends §§ 2, 8, 12, 11 of the Native Registration Ordinance, 1915.
36 of 1915	Inventions, Designs, and Trade Marks.	Extends the powers of the Governor under §. §. 49 and 63 of the Indian Inventions and Designs Act 1888, §. 54 of the Registration of Trade Marks Ordinance, 1912, and §. 17 of the Patents and Designs Ordinance, 1913.
37 of 1915	Registration of Persons.	Extends the powers of the Governor under §. 3 of the Registration of Persons Ordinance, 1915.
38 of 1915	Marriage facilities.	To be read with the East Africa Marriage Ordinance, 1902.
39 of 1915	Smuggling of letters.	To be read with the Indian Post Office Act, 1898 as applied to the Protectorate.
40 of 1915	Increase of Hut or Poll Tax.	To be read with the Native Hut and Poll Tax Ordinance, 1910 and the Native Hut and Poll Tax Amendment Ordinance, 1912.

Order-in-Council.

TITLE.	SUBJECT.
The East Africa Order-in-Council, 1915.	Appointment and Powers of Governor's Deputy.

Schedule of Proclamations, Rules and Regulations.

Act or Ordinance under which Rules, etc., have been issued.	Date of Rule, Proclamation, etc.	Reference in Official Gazette		Reference in Ordinances and Regulations.		Effect of Rule, Proclamation, etc.
		Year	Page.	Volume.	Page.	
Civil Procedure Code (Indian)	28- 1-15	1915	73	XVII	3	Rules of Court No. 1 of 1915.
Criminal Procedure Ordinance, 1913.	16- 6-15	"	541	"	25	Rules of Court (Record of Evidence in High Court) No. 2 of 1915.
Courts (Emergency Powers) Ordinance, 1915.	22- 2-15	"	149	"	8	Application for leave to proceed.
Crown Lands Ordinance, 1915.	18- 5-15	"	434	"	18	Date of coming into operation.
	1- 6-15	"	465	"	19	Crown Lands Registration Rules, 1915.
	3- 7-15	"	561	"	27	Crown Lands Registration Rules, 1915.
	13- 9-15	"	...	"	32	Crown Lands Rules No. 1 of 1915.
Customs Ordinance, 1910.	8- 5-15	"	346	"	17	Goods in transit to pass through Kilindini.
Customs Amendment Ordinance, 1915.	14-12-15	"	...	"	47	Reduction of period for free storage of goods.
	1- 3-15	"	149	"	7	Export of seed, peas allowed.
Diseases of Animals Ordinance, 1906.	7-12-15	"	1010	"	44	Export of articles to the Netherlands.
	13- 1-15	"	35	"	2	Fixing price of Anthrax Vaccine.
	15- 4-15	"	292	"	14	Fees for testing immunity to East Coast Fever.
	5- 7-15	"	559	"	26	Declaration of infected area.
	—	"	815	"	33	Dipping and disinfecting charges.
Diseases of Plants Prevention Ordinance, 1910.	28-10-15	"	893	"	33	Inclusion of trypanosomiasis in definition of disease.
	3-12-15	"	1017	"	45	Diseases of Animals Amendment Rules, 1915.
	8- 2-15	"	103	"	3	Coffee Leaf Disease Regulations, 1915.
E. A. Prots. (Appeal to Privy Council) Amendment Order-in-Council, (No. 2) 1915.	14-10-15	"	1017	"	45	Order-in-Council.
Fees and Royalties Ordinance, 1903.	14- 8-15	"	671	"	29	Royalties at Malindi.
Foreign Jurisdiction Acts, 1890 & 1913.	28-11-14	"	15	—	—	Application of Companies (Consolidation) Act, 1908.
	22-11-13	"	929	XVII	38	Order-in-Council, 1913.
Foreign Marriages, Order-in-Council, 1913.	13-11-15	"	934	"	42	Application under.
Forest Ordinance, 1911.	5- 3-15	"	165	"	10	Forest Reserve L. O. No. 2661.
<i>(cancelled, vide p. 17.)</i>	3- 4-15	"	278	"	12	Nakuru Lake Forest.
	7- 5-15	"	346	"	17	Nakuru Lake Forest.
<i>(amended, vide pp. 33, 35)</i>	4- 6-15	"	486	"	22	Amendment of Schedule of Rules of December 5th, 1912.
	27- 7-15	"	636	"	27	Nyeri Forest Reserve.
<i>(cancelled, vide, p. 35.)</i>	14-10-15	"	849	"	33	Amends Rules of June 4th, 1915.
	8-11-15	"	909	"	35	Royalties for produce from mangrove swamps.
	8- 3-15	"	184	"	10	Application to the territories of the Queen of the Netherlands.
Fugitive Criminals Surrender Ordinance, 1908.	6-10-15	"	826	"	33	Application to Guatemala.
Indian Post Office Act, 1898.	29- 7-15	"	636	"	28	Blind literature post.
Land Title Amendment Ordinance, 1908.	6 -2-15	"	119	"	5	Scale of Fees and Charges.
	7 -5-15	"	345	"	16	Application to Sultanate of Witu.
Mining Ordinance, 1912	27- 7-15	"	637	"	28	Mining Amendment Regulations, 1915.
	12-11-15	"	935	"	43	Mining Amendment (No. 2) Regulations, 1915.
	17-12-15	"	1060	"	48	Application to Nakuru District.
Mohamedan Marriage and Divorce Ordinance, 1916.						

SCHEDULE OF PROCLAMATIONS, RULES AND REGULATIONS.—(Contd.)

Act or Ordinance under which Rules, etc., have been issued.	Date of Rule, Proclamation, etc.	Reference in Official Gazette		Reference in Ordinances and Regulations.		Effect of Rule, Proclamation, etc.
		Year.	Page.	Volume.	Page.	
Motor Traffic Ordinance, 1915.	5-11-15	1915	909	XVII	35	Date of coming into force.
	10-11-15	"	926	"	35	Motor Traffic Rules, 1915.
	10-11-15	"	928	"	37	Appointment of Licensing and Certifying Officers.
Non-Native Poll Tax Ordinance, 1912.	10-11-15	"	928	"	37	Fees under the Ordinance.
	27- 2-15	"	151	"	9	Remission under certain cases for the period of the present war.
	26-12-14	"	3	"	1	Exclusion of Kammarin Trade Centre, Naivasha Province.
Outlying Districts Ordinance, 1902.	27- 3-15	"	234	"	11	" " Runyenji's Trade Centres Embu-Chuka Road Kenya Province.
	3- 4-15	"	278	"	11	Exclusion of Igarie and Kirieni Trade Centres, Kenya Prov.
Passport Fees Ordinance, 1904.	20- 4-15	"	312	"	15	" " Trade Centres in Kitui District.
	7- 5-15	"	345	"	16	" " " " Mogotio, Molo River.
	27- 8-15	"	713	"	31	" " " " Mugo Trade Centre and Embu-Emberre Road.
Police Ordinance, 1911.	9- 6-15	"	505	"	24	Fees for passports.
Prevention of Cruelty to Animals Ordinance, 1913.	16- 4-15	"	290	"	14	Extension of §. 79 to Londiani.
Railway Provident Fund Ordinance, 1908.	1-11-15	"	893	"	34	Cruelty to Animals at Sea Rules, 1915.
Railway Ordinance, 1910.	...	"	116	"	4	Form of Declaration.
Registration of Documents Ordinance, 1902.	7-12-15	"	1020	"	47	Alteration in form of Risk Note.
Sales by Auction Ordinance, 1912.	6- 2-15	"	141	"	6	Scale of Fees and Charges.
Stage Plays and Cinematograph Ordinance, 1912.	15- 5-15	"	434	"	18	Sales by Auction Rules, 1915.
Stamp Act (Indian) 1899.	23- 1-15	"	52	"	2	Stage Play Rules, 1915.
Townships Ordinance, 1903.	25- 2-15	"	149	"	7	Reduction of duty.
<i>Amended, vide p. 2.</i>	5- 1-15	"	3	"	1	Nairobi Municipal Committee Amendment Rules, 1915.
	15- 1-15	"	35	"	1	Adds "Mumps" to List of Notifiable Diseases.
	23- 1-15	"	52	"	2	Amends Rules of 15th January, 1915.
	11- 2-15	"	120	"	6	Nairobi Bill Posting Rules, 1915.
	20- 3-15	"	209	"	10	Storing of Explosives.
	22- 3-15	"	209	"	10	Sale of Poultry in Nairobi.
	27- 3-15	"	235	"	11	Repeals rules of 13th February, 1912 re Royalties on Nairobi Municipal Quarries.
	9- 4-15	"	278	"	12	Nairobi Municipal Committee Further Amendment Rules, 1915.
	3- 4-15	"	279	"	13	Makes Rules, 65 and 67 of Township Rules, 1904 cognizable to the Police.
	8- 4-15	"	279	"	13	Remission of Fees under Rules of 1st August, 1913.
	8- 5-15	"	346	"	17	Amends Nairobi Building Amendment Rules, 1914.
	15- 5-15	"	434	"	17	Nairobi Stockyard Rules, 1915.
	<i>Vide p. 27.</i>	20- 6-15	"	541	"	25	Nairobi Township Motor Rules, 1915.
30- 6-15		"	560	"	26	Naivasha Township Cycle Rules, 1915.
13- 7-15		"	585	"	27	Makes Nairobi Township Motor Rules, 1915, cognizable to Police.
19- 8-15		"	695	"	30	Nairobi Township (Service of Notices) Amendment Rules, 1915.
4- 9-15		"	739	"	31	Nairobi Township Dustbins Rules, 1915.
Trading with the Enemy Ordinance, 1915.	20-12-15	"	1073 ^a	"	48	Nairobi Township Vehicles Amendment Rules, 1915.
Vaccination Ordinance, 1912.	24- 2-15	"	279	"	13	Rules under Sections 8 and 9.
	10-12-15	"	1041	"	48	Application to North Kavirondo and Kisumu Districts.

Trading with the Enemy Amend Order 1915

Rules under sec 71 liquidation of firms

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35	July 7th	do do	... 54
37	July 28th	do do	... 54
40	August 18th	do do	... 54
41	September 1st	do do	... 55
45	September 22nd	do do	... 55
46	September 22nd	Under the Registration of Persons Ordinance, 1915.	... 55
47	October 6th	Under the Customs Amendment Ordinance, 1915.	... 56-60
51	October 27th	do do	... 61
54	November 17th	do do	... 61-62
56	November 24th	do do	... 62
57	December 8th	do do	... 63-64
61	December 22nd	do do	... 64-65

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ORDER-IN-COUNCIL.

ORDER-IN-COUNCIL.

AT THE COURT AT BUCKINGHAM PALACE.

THE 2ND DAY OF MARCH, 1915.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT

LORD HAVERSHAM

LORD CHAMBERLAIN

MR. E. S. MONTAGU.

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

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

And whereas by an Order of His late Majesty in Council, bearing date the 11th day of August, 1902, and entitled "The East Africa Order in Council, 1902," provision was made for the administration of the Government of the said Protectorate by a Commissioner:

And whereas by a further Order of His Late Majesty in Council, bearing date the 22nd day of October, 1906, and entitled "The East Africa Order in Council, 1906," it was provided that a Governor should be appointed for the said Protectorate in place of a Commissioner.

And whereas by the Fifteenth and Sixteenth Articles of the last-recited Order provision was made for the administration of the Government of the said Protectorate in the absence of the Governor:

And whereas by a further Order of His late Majesty in Council, bearing date the 2nd day of November, 1907, and entitled "The East Africa Order in Council, 1907," fresh Articles were substituted for the Fifteenth and Sixteenth Articles of the last-recited Order:

And whereas it is desirable to make other provision in regard to the appointment of a Deputy by the Governor during his temporary absence:

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, 1915."

II. The Article which was substituted by the above-recited Order in Council of the 2nd day of November, 1907, for the aforesaid Sixteenth Article of the above-recited Order in Council of the 22nd day of October, 1906, is, as from the coming into operation of this Order, hereby revoked without prejudice to anything lawfully done thereunder, and in place thereof the following Article shall be substituted and take effect:—

"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 conferred or imposed upon him by His Majesty, or through one of His Majesty's Principal Secretaries of State, to visit any territories adjacent to or near to the Protectorate, he may, by an Instrument under the Public Seal of the Protectorate, [appoint the Lieutenant-Governor, or if there be no such Officer or such Officer is absent or unable to act,] then any other person to be his Deputy within any part of the Protectorate during such temporary absence, and in that capacity to exercise, perform, and execute for and on behalf of the Governor during such absence, but no longer, all such powers and authorities vested in the Governor (except the power of pardon) as shall in and by such Instrument be specified and limited, but no others.

"Every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance. Provided nevertheless that by the appointment of a Deputy as aforesaid the power and authority of the Governor shall not be abridged, altered, or in any way affected otherwise than His Majesty may at any time think proper to direct."

III. His Majesty, His Heirs and Successors, in Council may at any time revoke, alter, or amend this Order.

IV. This order shall be published in the *Official Gazette* of the East Africa Protectorate, and shall thereupon commence and come into operation.

And the Right Honourable Lewis Harcourt, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

ALMERIC FITZROY.

ORDINANCES.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 1 OF 1915.

An Ordinance to supply a further sum of Money for the Service of the year ended the 31st of March, 1914.

[January 20th, 1915.]

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

1. The Public Revenue for the year 1913-14, and other funds of the East Africa Protectorate are hereby charged towards the service of the year ended 31st day of March 1914, with a further sum of one hundred and thirty-one thousand one hundred and ninety-eight pounds, eighteen shillings and four pence, in addition to the sums provided by the Appropriation Ordinance, 1913.

Public Revenue charged.

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

Application of money granted.

3. The Treasurer of the Protectorate is hereby authorised and required, from time to time, upon warrant or order of the Governor, to pay out of the Revenue and other Funds of the Protectorate, for the several services specified in the Schedule, the said sum of one hundred and thirty-one thousand one hundred and ninety-eight pounds, eighteen shillings and four pence, which have come in course of payment during the year ended on the 31st day of March, 1914.

Treasurer's authority for payment.

4. This Ordinance may be cited as "The Supplementary Appropriation Ordinance, 1915."

Short Title.

Schedule.

HEAD OF EXPENDITURE.	AMOUNT.		
	£	s.	d.
3. His Excellency the Governor ...	432	10	11
6. Provincial Administration...	2,874	19	5
9a. Port and Marine—Special Expenditure	1,111	13	1
13. Prisons ...	458	11	11
14. Medical Departments ...	5,733	11	5
15. Hospitals and Dispensaries ...	142	11	0
17. Transport ...	204	16	0
18. Military Expenditure ...	17,615	2	8
18a. do. Special Expenditure ...	6,170	9	9
19. Miscellaneous Services ...	1,524	12	11
20. Bombay Agency...	71	5	0
21. Post Office and Telegraphs ...	2,695	15	6
22. Railway Department ...	21,499	4	10
22a. do. Special Expenditure	28,921	4	7
23. Agricultural Department ...	206	10	10
25. Game Department ...	49	1	2
27. Survey Department ...	342	14	3
28. Land Office ...	76	11	3
30. Public Works Recurrent ...	750	8	5
31. " " Extraordinary ...	11,058	12	3
35. Special Expenditure for Magadi ...	29,258	11	2
Total ...	131,198	18	4

(ii)

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 2 OF 1915.

An Ordinance to amend the Customs Tariff Ordinance, 1909.

[January 20th, 1915.]

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

Short Title
and com-
mencement.

1. This Ordinance may be cited as "The Customs Tariff Amendment Ordinance, 1915," and shall be read as one with the Customs Tariff Ordinance, 1909 (hereinafter referred to as the Principal Ordinance) and all Ordinances amending the same.

Amendment
of Table of
Exemptions
from Import
Duties.

2. On and after the coming into operation of this Ordinance the Table of Exemptions from Import Duties, set out in the Principal Ordinance, shall be and is hereby amended by adding thereto the following:—

34. All goods imported on or after 1st December, 1914, as gifts to troops and consigned for distribution to Officers in Command of such troops or to Government Departments.

This exemption shall cease to have effect immediately on the cessation of the present war; provided however that if, on the date of such cessation any gifts have been already shipped or despatched, such gifts shall be exempt notwithstanding they arrive in the Protectorate after the cessation of the present war.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 3 OF 1915.

An Ordinance to amend the Law Relating to Master and Servants.

[February 6th, 1915.]

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 Amendment Ordinance, 1915," and shall be read as one with the Master and Servants Ordinance, 1910, herein referred to as the Principal Ordinance.

2. To the definition of Labour Agent in Section 2 of the Principal Ordinance shall be added the following proviso:— Labour Agent.

And provided that the words 'Labour Agent' shall not apply to any messenger or servant who procures or engages or conducts natives for his employer's domestic, personal service or business exclusively.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 4 of 1915.

An Ordinance to amend the Law Relating to Customs.

[February 6th, 1915.]

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 Customs Amendment Ordinance, 1915." This Ordinance shall be read as one with the Customs Ordinance, 1910. Short Title.

2. The Governor may by Proclamation restrict or prohibit the exportation out of the Protectorate of any goods or class of goods. Restriction of exports.

3. Any person who exports or attempts to export any goods in contravention of any Proclamation issued under this Ordinance shall on conviction be liable to imprisonment of either description for a term not exceeding twelve months, or to a fine not exceeding Rs. 3,000/- or to both, and all goods so exported or attempted to be exported shall be liable to seizure and confiscation and if so seized and confiscated shall be sold and the proceeds, after deduction of all necessary expenses, carried to General Revenue. Penalties.

4. Any proclamation promulgated after the fourth day of August, 1914, and before the enactment of this Ordinance restricting or prohibiting the exportation out of the Protectorate of any goods or class of goods shall be deemed to have as full force and effect as if such proclamation had been promulgated under the provisions of this Ordinance. Saving.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 5 OF 1915.

An Ordinance to amend the Law Relating to the Sale of Land by Women.

[February 6th, 1915.]

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 Sale of Land by Women Ordinance, 1915.”

Repeal. 2. (1) The Regulations dated the 26th day of April, 1897, issued by Her Majesty's Commissioner and Consul General for regulating the sale of land by women are hereby repealed.

(2) That part of section 39 of the East Africa Registration Regulations, 1901, relating to the aforesaid Regulations is hereby repealed.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 6 OF 1915.

An Ordinance to provide for Censorship of the Press in Times of Emergency.

[February 6th, 1915.]

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 Press Censorship Ordinance, 1915.”

Application of Ordinance. 2. (1) The Governor in Council may on the occurrence of any public emergency or in the interests of the public safety or tranquillity bring this Ordinance into operation by proclamation and may at any time by proclamation suspend such operation.

(2) If any doubt arises as to the existence of a public emergency or as to whether any act done under sub-section (1) was in the interests of the public safety or tranquillity or not a certificate signed by the Chief Secretary to the Government shall be conclusive proof on the point.

3. No newspaper, magazine, pamphlet, book or other publication shall without the leave of such person as the Governor may appoint in that behalf be published containing any information, statement, comment or suggestion with respect to troops, ships, aircraft or war material or to the plans of the naval or military authorities or to any measures taken for or connected with the defence of the United Kingdom of Great Britain and Ireland or of any of the dominions, colonies, dependencies, possessions or protectorates thereof or any statement, comment or suggestion calculated directly or indirectly to convey any such information.

Subjects the publication of which is prohibited.

4. (1) The owner, publisher, printer and editor of any newspaper, magazine, book, pamphlet or other publication by means of which any information, statement, comment or suggestion specified in the preceding section is published without the leave specified therein and any person who is otherwise knowingly responsible for the publication of any such information, statement, comment or suggestion shall be liable on conviction to imprisonment of either description not exceeding three years or to a fine or to both and

Penalties.

(2) any person who sells or distributes any newspaper, magazine, book, pamphlet or other publication unlawfully containing any such information, statement, comment or suggestion shall be liable on conviction to imprisonment of either description not exceeding six months or to a fine not exceeding Rs. 750/- or to both.

5. The Governor-in-Council may by order establish a press censorship and may at any time revoke such order.

Press Censor.

6. (1) On the declaration of the establishment of a press censorship the Governor may appoint such person or persons as he may think fit to be a press censor or press censors, and

Procedure in case of censorship.

(2) no newspaper, magazine, pamphlet, book or other publication shall be published unless and until the contents of such newspaper, magazine, pamphlet, book or other publication have been passed by a press censor.

7. The owner, publisher, printer and editor of any newspaper, magazine, pamphlet, book or other publication published after the declaration of the establishment of a press censorship, without the contents of such newspaper, magazine, pamphlet, book or other publication having been passed by a press censor shall be liable on conviction to imprisonment of either description for a term not exceeding three years or to a fine or to both.

Penalties.

8. The Court on a conviction for an offence under this Ordinance may:—

Destruction of newspapers.

(1) order all the copies of any newspaper, magazine, pamphlet, book or other publication in the possession of the person or persons convicted and in respect of which the offence was committed to be destroyed and

(2) order the publication of the newspaper, magazine, pamphlet, book or other publication in respect of which the offence was committed to be suspended for a period to be stated in the order.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 7 OF 1915.

An Ordinance to make provision for the Formation of Volunteer Corps in the East Africa Protectorate and for their Discipline.

[February 6th, 1915.]

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

Repeated by No. 2 of 1919.

- Short title. 1. This Ordinance may be cited as "The Volunteer Ordinance, 1915."
- Power to form corps. 2. The Governor may during the present war on behalf of His Majesty sanction the formation of such volunteer corps and units as he may think fit and may prescribe the terms of service therefor.
- Discipline. 3. With respect to the discipline of officers, non-commissioned officers and soldiers of any volunteer corps or unit formed under the provisions of this Ordinance the provisions of the Army Act 44 and 45 Victoria Chapter 58 and all acts amending or substituted for the same so far as applicable shall apply with the necessary modifications.
- Pay. 4. Officers, non-commissioned officers and soldiers of any volunteer corps or unit formed under the provisions of this Ordinance shall be entitled to such pay as may be determined by the Governor.
- Application of Ordinance. 5. The provisions of this Ordinance shall be deemed to apply to all volunteer corps and units formed in the Protectorate since the 4th day of August, 1914, and to have applied to each such corps and unit from the date of the formation of such corps or unit.
- Medical and Veterinary Corps. 6. The East Africa Medical Service and the East Africa Veterinary Corps shall be deemed to be volunteer corps formed under the provisions of this Ordinance.
- Power to disband. 7. The Governor may at any time disband any volunteer corps or unit formed under the provisions of this Ordinance or to which this Ordinance applies.
- Oath. 8. Every person enrolled in a volunteer corps or unit formed under this Ordinance shall take an oath of allegiance to His Majesty the King in the form set forth in the schedule hereto. Provided the fact that any person so enrolled has not taken such oath of allegiance shall not exempt such person from the provisions of this Ordinance or the Army Act as applied by the provisions of this Ordinance.

SCHEDULE.

I do swear that I will be faithful and bear true allegiance to His Majesty King George the fifth his heirs and successors according to law

So HELP ME GOD.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 8 OF 1915.

An Ordinance to provide relief from fees payable on the Estates of persons dying from wounds inflicted, accident occurring or disease contracted on Active Service against an enemy.

[February 6th, 1915.]

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 Death Short Title. Duties (Killed in War) Ordinance, 1915."

2. (1) Where any person dies of wounds inflicted, accident occurring, or disease contracted, within twelve months before death, while on active service against an enemy, whether on sea or land, and was, when the wounds were inflicted, the accident occurred, or the disease was contracted, either subject to the Naval Discipline Act or subject to Military Law, whether as an officer, non-commissioned officer, or soldier, the Governor may, if he think fit, remit, or, in the case of fees or duty already paid, repay, in any one case, the whole or any part of the fees or duties leviable under No. 23 or No. 26 of the Schedule to the East Africa Court Fees Rules, 1902, in respect of property passing upon the death of the deceased to his widow or lineal descendants or lineal ancestors not exceeding the following amounts:—

Remission of duty in case of persons killed in the present war.

(a) where the value for the purpose of such fees or duty of the property passing to the widow, lineal descendants or lineal ancestors does not exceed Rs. 75,000, the whole of such fees or duty in respect of that property; and

(b) where the said value exceeds Rs. 75,000:—

(i) in respect of the first Rs. 75,000 the whole of such fees or duty; and

(ii) in respect of the remainder an amount not exceeding one half of the fees or duty leviable under No. 23 of the Schedule to the East Africa Court Fees Rules, 1902, in respect of such remainder.

(2) The benefits of the relief given by this section as respects the first Rs. 75,000 shall be apportioned rateably among the several persons who would otherwise bear such fees or duty remitted or repaid according to the amounts which they would so bear and without regard to their respective rights of priority.

see O.P. 1876-92 h 229

see O.P. 1876-92 at h 229 and amendment Court Fees (Nos) Rules Vol. XII h 94.

(viii)

Remission of duty in case of property passing more than once owing to deaths caused by the present war.

(3) This section shall take effect in the case of any person dying since the 4th day of August, 1914, and during the course of the present war.

3. (1) Where the Governor is satisfied that fees or duty leviable under No. 23 or No. 26 of the Schedule to the East Africa Court Fees Rules, 1902, have become payable on any property passing on the death of any person to which section 2 of this Ordinance applies and that subsequently such fees or duty have again become payable on the same property or any part thereof passing on the death of some other person to which section 2 of this Ordinance applies the whole of such fees or duty payable on such subsequent death in respect of the property so passing shall be remitted, or in case such fees or duty have been paid, repaid, and the property shall not be aggregated with any other property passing on such subsequent death for the purpose of determining the rate of such fees or duty.

(2) This section shall apply whether or not on any such death any property passes to the widow, lineal descendants or lineal ancestors of the deceased.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 9 OF 1915.

An Ordinance to give in connection with the present war further Powers to Courts.

[February 6th, 1915.]

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

- Short title. 1. (1) This Ordinance may be cited as "The Courts (Emergency Powers) Ordinance, 1915."
- Application and duration. (2) The Governor-in-Council may by Proclamation at any time determine the operation of this Ordinance or provide that this Ordinance shall have effect subject to such limitations as may be contained in the Proclamation but subject to the operation of any such Proclamation this Ordinance shall have effect during the continuance of the present war and for a period of six months thereafter.
- Power of Courts to defer Executions etc. 2. (1) From and after the passing of this Ordinance no person shall:—
(a) proceed to execution on or otherwise to the enforcement of any judgment or order of any Court (whether entered or made before or after the passing of this Ordinance) for the payment or recovery of a sum of money to which this sub-section applies, except after such application to such Court and such notice as may be provided by rules or directions under this Ordinance; or
(b) levy any distress, take, resume, or enter into possession of any property, exercise any right of re-entry, foreclose, realise any security (except by way of sale by a mortgagee in possession), forfeit any deposit, or enforce the lapse of any policy of insurance

to which this sub-section applies, for the purpose of enforcing the payment or recovery of any sum of money to which this sub-section applies, or, in default of the payment or recovery of any such sum of money, except after such application to such Court and such notice as may be provided for by rules or directions under this Ordinance.

This sub-section shall not apply to any sum of money (other than rent not being rent at or exceeding Rs. 750/- per annum) due and payable in pursuance of a contract made after the beginning of the 5th August, 1914. This sub-section applies to life or endowment policies for an amount not exceeding Rs. 375/-, or payment equivalent thereto, the premiums in respect of which are payable at not longer than monthly intervals, and have been paid for at least the two years preceding the 5th August, 1914.

(2) If, on any such application, the Court to which the application is made is of opinion that time should be given to the person liable to make the payment on the ground that he is unable immediately to make the payment by reason of circumstances attributable, directly or indirectly, to the present war, the Court may, in its absolute discretion, after considering all the circumstances of the case, and the position of all the parties, by order, stay execution or defer the operation of any such remedies as aforesaid, for such time and subject to such conditions as the Court thinks fit.

(3) Where an insolvency petition has been presented by or against any debtor, and the debtor prove to the satisfaction of the Court having jurisdiction or such Court is otherwise satisfied that his ~~liability~~ ^{inability} to pay his debts is due to circumstances attributable, directly or indirectly, to the present war, the Court may, in its absolute discretion, after considering all the circumstances of the case and the position of all the parties, at any time stay the proceedings under the petition for such time and subject to such conditions as the Court thinks fit.

(4) The Chief Justice may make such rules and give such directions as he thinks fit for the purpose of giving full effect to this Ordinance and may, by those rules or directions, provide for any proceedings for the purposes of this Ordinance being conducted, so far as is desirable, in private and for the remission of any fees.

(5) The powers given under this Ordinance shall be in addition to and not in derogation of any other powers of any Court.

(6) Nothing in this Ordinance shall affect any right or power of pawnbrokers to deal with pledges or give any power to stay execution or defer the operation of any remedies of a creditor in the case of a sum of money payable by, or recoverable from, the subject of a Sovereign or State at war with His Majesty.

(7) Any stay of execution or of other proceedings, and any postponement of the operation of the remedies of a creditor which has been granted or ordered by any Court since the commencement of the present war and before the passing of this Ordinance shall be as valid as if this Ordinance had been in operation when the stay or postponement was granted or ordered.

EAST AFRICA PROTECTORATE.

Rules p 13 part.

AN ORDINANCE

Ordinance No. 10 of 1915.

No. 10 OF 1915.

An Ordinance to make provision with respect to Penalties for Trading with the enemy, and other purposes connected therewith.

[February 6th, 1915.]

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

Penalties for trading with enemy.

1. (1) Any person who during the present war trades or who has since the 4th day of August, 1914, traded with the enemy within the meaning of this Ordinance shall be guilty of an offence and shall :—

(a) on conviction by a Magistrate holding a subordinate Court of the first class be liable to imprisonment of either description for a term not exceeding twelve months or to a fine not exceeding Rs. 7,500 or to both or

(b) on conviction by the High Court be liable to imprisonment of either description for a term not exceeding seven years or to a fine or to both and the Court may in any case order that the goods or money in respect of which the offence has been committed be forfeited.

(2) For the purpose of this Ordinance a person shall be deemed to have traded with the enemy :—

(a) if he has entered into any transaction or done any act which was at the time of such transaction or act prohibited by or under any proclamation issued by the Governor dealing with trading with the enemy for the time being in force or which by English common law or English statute law constitutes an offence of trading with the enemy. Provided that any transaction or act permitted by or under such proclamation shall not be deemed to be trading with the enemy;

(b) if he during the present war attempts, or directly or indirectly offers or proposes or agrees, or has since the fourth day of August nineteen hundred and fourteen attempted or directly or indirectly offered or proposed or agreed, to trade with the enemy within the meaning of this Ordinance ~~in like manner as it applies to a person who so trades or has so traded;~~

(c) if he without lawful authority in anywise aids or abets any person, whether or not such other person is in the Protectorate, to enter into, negotiate, or complete any transaction or do any act which, if effected or done in the Protectorate by such other person, would constitute an offence of trading with the enemy within the meaning of this Ordinance, ~~he shall be deemed to be guilty of such an offence;~~

(d) if he without lawful authority deals or attempts, or offers, proposes or agrees, whether directly or indirectly, to deal with any money or security for money or other property which is in his hands or over which he has any claim or control for the purpose of enabling an enemy to obtain money or credit thereon or thereby.

(3) Where a company has entered into a transaction or has done any act which is an offence under this section, every director, manager, secretary, or other officer of the company who is knowingly a party to the transaction or act shall also be deemed guilty of the offence.

(4) A prosecution for an offence under this section shall not be instituted except by or with the consent of the Attorney General :

Provided that the person charged with such an offence may be arrested and a warrant for his arrest may be issued and executed, and such person may be remanded in custody or on bail notwithstanding that the consent of the Attorney-General to the institution of the prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

(5) Where an act constitutes an offence both under this Ordinance and under any other Ordinance or English Statute or both under this Ordinance and at common law, the offender shall be liable to be prosecuted and punished under either this Ordinance or such other Ordinance or Statute, or under this Ordinance or at common law, but shall not be liable to be punished twice for the same offence.

2. (1) If a Magistrate is satisfied, on information on oath laid on behalf of the Governor that there is reasonable ground for suspecting that an offence under this Ordinance has been or is about to be committed by any person, firm, or company, he may issue a warrant authorising any person appointed by the Governor and named in the warrant to inspect all books or documents belonging to or under the control of that person, firm, or company, and to require any person able to give any information with respect to the business or trade of that person, firm, or company to give that information, and if accompanied by a Police Officer to enter and search any premises used in connection with the business or trade, and to seize any such books or documents as aforesaid :

Power to inspect books and documents.

Provided that when it appears to the Governor that the case is one of great emergency and that in the interests of the State immediate action is necessary, the Governor may, by written order, give to a person appointed by him the like authority as may be given by a warrant of a Magistrate under this subsection.

(2) Where it appears to the Governor :—

(a) in the case of a firm, that one of the partners in the firm was immediately before or at any time since the commencement of the present war a subject of, or resident or carrying on business in, a State for the time being at war with His Majesty; or

(b) in the case of a company, that one-third or more of the issued share capital or of the directorate of the company immediately before or at any time since the commencement of the present war was held by or on behalf of or consisted of persons who were subjects of, or resident or carrying on business in, a State for the time being at war with His Majesty; or

(c) in the case of a person, firm or company, that the person was or is, or the firm or company were or are, acting as agent for any person, firm, or company resident or carrying on business in a State for the time being at war with His Majesty; the Governor may, if he think it expedient for the purpose of satisfying himself that the person, firm or company are not trading with the enemy, by written order, give to a person appointed by him, without any warrant from a Magistrate, authority to inspect all books and documents belonging to or under the control of the person, firm or company, and to require any person able to give information with respect to the business or trade of that person, firm or company, to give that information.

For the purposes of this subsection any person authorised in that behalf by the Governor may inspect the register of members of a company at any time, and any shares in a company for which share warrants to bearer have been issued shall not be reckoned as part of the issued share capital of the company.

(3) Where, on the report of an inspector appointed to inspect the books and documents of a person, firm, or company it appears to the Governor that it is expedient that the business should be subject to frequent inspection or constant supervision the Governor may appoint that inspector or some other person to supervise the business with such powers as the Governor may determine, and any remuneration payable and expenses incurred, whether for the original inspection or the subsequent supervision to such amount as may be fixed by the Governor, shall be paid by the said person, firm, or company.

(4) If any person having the custody of any book or document which a person is authorised to inspect under this section refuses or wilfully neglects to produce it for inspection, or if any person who is able to give any information which may be required to be given under this section refuses or wilfully neglects when required to give that information, that person shall on conviction by a Magistrate holding a subordinate Court of the first class be liable to imprisonment of either description for a term not exceeding six months, or to a fine not exceeding Rs. 750/- or to both.

Power to use information in evidence against informant.

3. Where a person has given any information to a person appointed to inspect the books and documents of a person, firm, or company under section two of this Ordinance the information so given may be used in evidence against him in any proceedings relating to offences of trading with the enemy within the meaning of this Ordinance, notwithstanding that he only gave the information on being required so to do by the inspector, in pursuance of his powers under the said section.

Power of the Governor to apply for receiver in certain cases.

4. Where it appears to the Governor in reference to any business carried on by any person or to any firm or company

- (a) that an offence under this Ordinance has been or is likely to be committed in connection with the trade or business thereof; or
- (b) that the control or management thereof has been or is likely to be so affected by the state of war as to prejudice the effective continuance of its trade or business and that it is in the public interest that the trade or business should continue to be carried on; or
- (c) that it is expedient in the public interest that a controller should be appointed owing to circumstances or considerations arising out of the present war;

the Governor may direct the Attorney-General to apply to the High Court for the appointment of a controller of the firm or company, and the High Court shall have power to appoint such a controller, for such time and subject to such conditions and with such powers as the Court thinks fit and the powers so conferred shall be either those of a receiver and manager or those powers subject to such modifications, restrictions or extensions as the Court thinks fit (including, if the Court considers it necessary or expedient for enabling the controller to borrow money, power, after a special application to the Court for that purpose, to create charges on the property of the person, firm or company in priority to existing charges).

The Court shall have power to direct how and by whom the costs of any proceedings under this section, and the remuneration, charges, and expenses of the controller, shall be borne, and shall have power, if it thinks fit, to charge such costs, charges and expenses on the property of the firm or company in such order of priority, in relation to any existing charges thereon, as it thinks fit.

5. (1) The Administrator General or such other person as the Governor may appoint shall act as Custodian of enemy property (hereinafter referred to as "the Custodian") for the purpose of receiving, holding, preserving, and dealing with such property as may be paid to or vested in him in pursuance of this Ordinance.

Constitution
of office of
Custodian
of enemy
property.

(2) The Custodian shall have such powers and duties with respect to the property aforesaid and may be paid such fees or remuneration and in such manner as may be prescribed by regulations made by the Governor.

(3) The Custodian may place on deposit with a bank approved by the Governor, or invest in any securities approved by the Secretary of State any moneys paid to him under this Ordinance, or received by him from property vested in him under this Ordinance, and any interest or dividends received on account of such deposits or investments shall be dealt with in such manner as the Governor may direct.

6. (1) Any sum which, had a state of war not existed, would have been payable and paid to or for the benefit of an enemy, by way of dividends, interest or share of profits, shall be paid by the person firm or company by whom it would have been payable to the Custodian to hold subject to the provisions of this Ordinance and any Order made by the Governor-in-Council and the payment shall be accompanied by such particulars as the Governor may prescribe, or as the Custodian, if so authorised by the Governor, may require.

Payment of
dividends,
etc., payable
to enemy.

Any payment required to be made under this sub-section to the Custodian shall be made :—

(a) within thirty days after the passing of this Ordinance, if the sum, had a state of war not existed, would have been paid before the passing of this Ordinance; and

(b) in any other case within thirty days after it would have been paid.

(2) Where before the passing of this Ordinance any such sum has been paid into any account with a bank, or has been paid to any other person in trust for an enemy, the person, firm, or company by whom the payment was made shall, within thirty days after the passing of this Ordinance by notice in writing require the bank or person to pay the sum over to the Custodian to hold as aforesaid, and shall furnish the Custodian with such particulars as aforesaid. The bank or other person shall, within one week after the receipt of the notice, comply with the requirement and shall be exempt from all liability for having done so.

(3) If any person fails to make or require the making of any payment or to furnish the prescribed particulars within the time mentioned in this section, he shall on conviction by a Magistrate holding a subordinate Court of the first class be liable to a fine not exceeding Rs. 1500/- or to imprisonment of either description for a term not exceeding six months or to both and in addition to a further fine not exceeding Rs. 750/- for every day during which the default continues, and every director, manager, secretary or officer of a company, or any other person who is knowingly a party to the default shall, on the like conviction, be liable to the like penalty.

(4) If in the case of any person, firm or company whose books and documents are liable to inspection under sub-section (2) of section two of this Ordinance any question arises as to the amount which would have been so payable and paid as aforesaid, the question shall be determined by the person who may have been or who may be appointed to inspect the books and documents of the person, firm or company, or on appeal by the Governor, and if in the course of determining the question, it appears to the inspector or the Governor that the person, firm or company has not distributed as dividends, interest or profits the whole of the amount properly available for that purpose, the inspector or Governor may ascertain what amount was so available and require the whole of such amount to be so distributed, and, in the case of a company, if such dividends have not been declared the inspector or Governor may himself declare the appropriate dividends, and every such declaration shall be as effective as a declaration to the like effect duly made in accordance with the constitution of the company :

Provided that where a controller has been appointed under section 4 of this Ordinance this subsection shall apply as if for references to the inspector there were substituted references to the controller.

(5) For the purposes of this Ordinance the expression "dividends, interest or share of profits" means any dividends, bonus or interest in respect of any shares, stock, debentures, debenture stock or other obligations of any company, any interest in respect of any loan to a firm or person carrying on business for the purposes of that business, and any profits or share of profits of such a business, and where a person is carrying on any business on

behalf of an enemy any sum which had a state of war not existed, would have been transmissible by a person to the enemy by way of profits from that business shall be deemed to be a sum which would have been payable and paid to that enemy.

7. (1) Any person who holds or manages for or on behalf of an enemy any property, moveable or immoveable (including any rights, whether legal or equitable, in or arising out of property moveable or immoveable) shall within thirty days after the passing of this Ordinance or if the property comes into his possession or under his control after the passing of this Ordinance, then within thirty days after the time when it comes into his possession or under his control, by notice in writing communicate the fact to the Custodian, and shall furnish the Custodian with such particulars in relation thereto as the Custodian may require, and if any person fails to do so he shall on conviction by a Magistrate holding a subordinate Court of the first class be liable to a fine not exceeding Rs. 1,500/- or to imprisonment of either description for a term not exceeding six months or to both and in addition to a further fine not exceeding Rs. 750/- for every day during which the default continues.

Duty of Trustees enemies to notify the Custodian.

(2) Every company incorporated in the Protectorate shall, within thirty days after the passing of this Ordinance by notice in writing communicate to the Custodian full particulars of all shares, stock, debentures, and debenture stock and other obligations of the company which are held by or for the benefit of an enemy; and every partner of every firm, one or more partners of which on the commencement of the war became enemies or to which money had been lent for the purpose of the business of the firm by a person who so became an enemy, shall within one month after the commencement of this Ordinance, by notice in writing communicate to the Custodian full particulars as to any share of profits and interest due to such enemies or enemy, and, if any company or partner fails to comply with the provisions of this sub-section, the company shall, on conviction by a Magistrate holding a subordinate Court of the first class, be liable to a fine not exceeding Rs. 1,500/- and in addition to a further fine not exceeding Rs. 750/- for every day during which the default continues, and the partner and every director, manager, secretary or officer of the company who is knowingly a party to the default shall on the like conviction be liable to the like fine, or to imprisonment, of either description, for a term not exceeding six months, or to both.

8. (1) The High Court or a judge thereof may, on the application of any person who appears to the Court to be a creditor of an enemy or entitled to recover damages against an enemy, or to be interested in any property moveable or immoveable (including any rights whether legal or equitable, in or arising out of property moveable or immoveable) belonging to or held or managed for or on behalf of an enemy, or on the application of the Custodian or any Government Department by order vest in the Custodian any such moveable or immoveable property as aforesaid if the Court or the judge is satisfied that such vesting is expedient for the purposes of this Ordinance, and may by the order confer on the Custodian such powers of selling, managing and otherwise dealing with the property as to the Court or judge may seem proper.

Power to vest enemy property in Custodian.

Under 13/205.

(2) The Court or judge before making any order under this section may direct that such notices (if any), whether by way of advertisement or otherwise, shall be given as the Court or judge may think fit.

(3) A vesting order under this section as respects property of any description shall be of the like purport and effect as a vesting order as respects property of the same description made under the Trustee Act, 1893.

Holding and dealing with property by Custodian.

9. (1) The Custodian shall, except so far as the Governor or the High Court or a judge thereof may otherwise direct, and subject to the provisions of the next succeeding sub-section, hold any money paid to and any property vested in him under this Ordinance until the termination of the present war, and shall thereafter deal with the same in such manner as the Governor-in-Council may by order direct.

(2) The property held by the Custodian under this Ordinance shall not be liable to be attached or otherwise taken in execution, but the Custodian may if so authorised by an order of the High Court or a judge by whose order any property belonging to an enemy was vested in the Custodian under this Ordinance or of any Court in which judgment has been recovered against an enemy, pay out of the property paid to him in respect of that enemy the whole or any part of any debts due by that enemy and specified in the order:

Provided that before paying any such debt the Custodian shall take into consideration the sufficiency of the property paid to or vested in him in respect of the enemy in question to satisfy that debt and any other claims against that enemy of which notice verified by affidavit may have been served upon him.

(3) The receipt of the Custodian or any person duly authorised to sign receipts on his behalf for any sum paid to him under this Ordinance shall be a good discharge to the person paying the same as against the person or body of persons in respect of whom the sum was paid to the Custodian.

(4) The Custodian shall keep a register of all property held by him under this Ordinance, which register shall be open to public inspection during the usual office hours free of charge.

(5) The accounts of the Custodian shall be subject to audit at such times and in such manner as may be directed by the Governor.

(6) The Chief Justice may by rules, make provision for the practice and procedure to be adopted for the purposes of this and the last preceding section.

Invalidity of assignments, etc., by enemies.

10. (1) No person shall by virtue of any assignment of any debt or other chose in action, or delivery of any coupon or other security transferable by delivery, or transfer of any other obligation, made or to be made in his favour by or on behalf of an enemy whether for valuable consideration or otherwise have any rights or remedies against the person liable to pay, discharge or satisfy the debt chose in action, security or obligation, unless he proves that the assignment, delivery or transfer was made by leave of the Governor or was made before the commencement of the present war, and any person who knowingly pays, discharges or satisfies any debt, or chose in action, to which this sub-section applies shall be deemed to be guilty of the offence of trading with the enemy within the meaning of this Ordinance.

Provided that this sub-section shall not apply where the person to whom the assignment, delivery or transfer was made, or some person deriving title under him, proves that the transfer, delivery or assignment or some subsequent transfer, delivery or assignment was made before the 23rd day of January nineteen hundred and fifteen, in good faith and for valuable consideration nor shall this sub-section apply to any bill of exchange or promissory note.

(2) No person shall by virtue of any transfer of a bill of exchange or promissory note made or to be made in his favour by or on behalf of an enemy, whether for valuable consideration or otherwise, have any rights or remedies against any party to the instrument unless he proves that the transfer was made before the commencement of the present war and any party to the instrument, who knowingly discharges the instrument shall be deemed to be guilty of trading with the enemy within the meaning of this Ordinance.

Provided that this sub-section shall not apply where the transferee, or some subsequent holder of the instrument, proves that the transfer, or some subsequent transfer, of the instrument was made before the 23rd day of January nineteen hundred and fifteen, in good faith and for valuable consideration.

(3) Nothing in this section shall be construed as validating any assignment, delivery or transfer which would be invalid apart from this section or as applying to securities within the meaning of section 12 of this Ordinance.

11. Where during the continuance of the present war any coupon or other security transferable by delivery is presented for payment to any company, or other body or person, and the company, body or person has reason to suspect that it is so presented on behalf or for the benefit of an enemy, or that since the commencement of the present war it has been held by or for the benefit of an enemy, the company, body or person may pay the sum due in respect thereof into the High Court and the same shall, subject to rules of court, be dealt with according to the orders of the Court, and such a payment shall for all purposes be a good discharge to the company, body or person.

Right to pay into Court sums due on coupons suspected of being enemy property.

12. (1) No transfer made after the passing of this Ordinance by or on behalf of an enemy of any securities shall confer on the transferee any rights or remedies in respect thereof and no company or other body by whom the securities were issued or are managed shall except as hereinafter appears, take any cognizance of or otherwise act upon any notice of such a transfer.

Invalidity of transfers of shares in company, etc.

(2) No entry shall hereafter, during the continuance of the present war, be made in any register or other book kept in the Protectorate of any transfer of any securities therein registered, inscribed or standing in the name of an enemy, except by leave of a Court of competent jurisdiction or of the Governor.

(3) No share warrants payable to bearer shall be issued during the continuance of the present war in respect of any shares or stock registered in the name of an enemy.

(4) If any company or any body contravenes the provisions of this section the company or body shall be liable on conviction by a Magistrate holding a subordinate Court of the first class to a fine not exceeding Rs. 1,500/-

and every director, manager, secretary or other officer of the company or body who is knowingly a party to the default, shall be liable on the like conviction to the like fine or to imprisonment of either description for a term not exceeding six months.

(5) For the purposes of this section the expression " securities " means any annuities, stock, shares, debentures, or other debenture stock issued by or on behalf of any municipal or other authority, or by any company or by any other body which are registered or inscribed in any register, or other book kept in the Protectorate.

Condition as to the incorporation of new companies.

13. (1) During the continuance of the present war a certificate of incorporation of a company shall not be given by the Registrar of Joint Stock Companies until there has been filed with him either :—

(a) an affidavit by an advocate engaged in the formation of the company, that the company is not formed for the purpose or with the intention of acquiring the whole or any part of the undertaking of a person, firm or company the books and documents of which are liable to inspection under sub-section (2) of section two of this Ordinance or

(b) a licence from the Governor authorising the acquisition by the company of such an undertaking.

(2) Where such an affidavit has been filed it shall not be lawful for the company, during the continuance of the present war, without the licence of the Governor to acquire the whole or any part of any such undertaking, and if it does so the company shall, without prejudice to any other liability be liable on conviction by a Magistrate holding a subordinate Court of the first class to a fine not exceeding Rs. 1,500/- and every director, manager, secretary or other officer of the company who is knowingly a party to the default shall on the like conviction be liable to the like fine or to imprisonment of either description for a term not exceeding six months.

Definitions.

14. In this Ordinance the expression :—

(1) " Administrator General " means the Administrator General appointed by or under the Administrator General's Ordinance, 1909.

(2) " Attorney General " means the Attorney General for the East Africa Protectorate.

(3) " Magistrate " means a Magistrate holding a subordinate Court of the first or second class save where inconsistent with the context.

(4) *U pot x.c.i.*

Appeals.

15. No appeal shall lie from any judgment or order delivered or made under the provisions of this Ordinance.

Short title and construction.

16. (1) This Ordinance may be cited as " The Trading with the Enemy Ordinance, 1915. "

(2) No person or body of persons shall, for the purposes of this Ordinance, be treated as an enemy who would not be so treated for the purpose of any proclamation issued by the Governor dealing with trading with the enemy for the time being in force, and the expression " commencement of the present war " shall mean as respects any enemy the date on which war was declared by His Majesty on the country in which that enemy resides or carries on business.

(3) Nothing in this Ordinance shall be construed as limiting the power of the Governor by proclamation to prohibit any transaction which is not prohibited by this Ordinance or by licence to permit any transaction which is so prohibited.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 11 OF 1915.

An Ordinance to make provision for borrowing the sum of £1,868,000 from the Imperial Treasury, and for the raising, appropriating, and applying the loan, and for the due repayment of the same as provided by the East African Protectorate (Loans) Act, 1914.

[March 10th, 1915.]

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 "Imperial Loans Ordinance, 1915." Short Title.

2. In this Ordinance, unless the context otherwise requires, the expression "Treasury" means the Commissioners of His Majesty's Treasury, and Definition of terms. Treasury.

the expression "Crown Agents" means the person or persons for the time being acting as Crown Agents for the Colonies in England. "Crown Agents."

3. The Governor may from time to time borrow from the Treasury sums not exceeding in the aggregate one million eight hundred and sixty-eight thousand pounds for the purposes specified in the Schedule hereto, and bearing interest from the date on which each advance is made at such rate not being less than two and three quarters per centum per annum as the Treasury and the Secretary of State may fix as sufficient to enable the advance to be made without loss to the Local Loans Fund of the United Kingdom and repayable in such period (not exceeding forty years) from that date as the Treasury and the Secretary of State for the Colonies may determine in each case by means of an annuity of principal and interest combined commencing as hereinafter mentioned and calculated at such rate per annum for every £100 borrowed as may be necessary to pay off the whole of such principal and interest within the said period. The Governor may borrow £1,868,000

Application of loan. 4. The money to be borrowed under the authority of this Ordinance shall be appropriated and applied to the purposes specified in the Schedule hereto up to the amounts therein allotted to each purpose, and to no other purposes. Provided however that the Governor may with the approval of the Secretary of State vary the amounts so allotted without exceeding the aggregate amount to be borrowed.

The Governor may vary the allocation subject to the aggregate of £1,868,000

Loan to be a charge on general revenue. 5. The principal money to be borrowed under this Ordinance and the interest thereon are hereby charged upon and shall be payable out of the general revenue and assets of the Government of the Protectorate with priority over any charges thereon not existing at the date of the passing of this Ordinance.

Provision to payment of interest and annuity. 6. The following provisions shall have effect as regards payment of interest and repayment of principal.

For the first three years from the date of an advance or, where several advances have been made in any one financial year, from the date of the earliest such advance interest only shall be paid. Such interest shall be paid either from the General Revenue of the Protectorate or from the principal amount of the advance as the Governor may direct.

Thereafter thirty-seven annuity payments of principal and interest combined shall be made from the General Revenue of the Protectorate such payments being made in each case on the fourth and each succeeding anniversary of the particular advance in respect of which the payment is made or where such advance is one of several advances made in the same financial year on the fourth and each succeeding anniversary of the earliest of such advances.

Remittances to be made through the Crown Agents. The Governor shall in each year remit to the Crown Agents the sums due in respect of the aforesaid interest or annuities, and shall make this remittance on such date as will enable the Crown Agents to pay over the amount to the Treasury on the date on which it falls due.

Interest payable on interest or annuities overdue. 7. In the event of any payment in respect of interest or annuity not being made at the date on which it falls due interest on such payment shall be charged and payable at the rate of interest payable under section three of this Ordinance during the period such payment is in arrear.

Advances receivable by the Crown Agents 8. The Crown Agents are hereby authorised to receive the money so borrowed from the Treasury and to give such an acknowledgment on behalf of the Government of the Protectorate for the same as the Treasury may require and as may not be inconsistent with the terms of this Ordinance.

Conditional power to redeem advances on notice. 9. It shall be lawful for the Governor with the consent of the Treasury at any time after the expiration of five years from the date on which the money shall have been advanced by the Treasury under the provisions of this Ordinance, to repay to the Treasury the amount of such advance then outstanding on giving six months' notice of his intention to do so.

SCHEDULE.

	£	£
(a) KILINDINI HARBOUR WORKS		610,000
(b) RAILWAY IMPROVEMENTS—		
1. Relaying line	500,000	
2. Rolling Stock	147,160	
3. Marine Works and Shipping Facilities, Lake Victoria	80,000	
4. Workshop Machinery	43,166	
5. Nairobi Station, including Ration Store and Workshops	38,100	
6. Staff Quarters	25,000	
7. Mombasa and Kilindini, Minor Works ...	22,800	
8. Water and Fuelling Improvements ...	20,000	
9. Strengthening Bridges	20,000	
10. New Stations, Diversions and Sidings ...	14,200	
11. Kisumu, Shunting Grid, Goods Shed and Sidings	11,000	
12. Fire Fighting Appliances	7,000	
13. Ballasting	7,000	
14. Muhoroni, Rearrangement of Station ...	6,000	
15. Lumbwa, Station and Sidings	2,500	
16. Miscellaneous Minor Works	13,074	
	<hr/>	957,000
(c) ROADS AND BRIDGES—		
1. Machakos-Magadi Junction, Survey and Construction	20,350	
2. Kisumu-Mumias, Realignment and part Construction	21,150	
3. Naivasha-Kinangop-Limoru, Survey and part Construction	8,825	
4. Lower Molo to Railway, Survey and part Construction	2,000	
5. Nairobi—Fort-Hall—Nyeri—Archer's Post, Survey and part Construction	16,950	
6. Coast Road Construction	5,925	
7. Awach River Bridge	1,500	
8. Athi River Bridge	2,000	
9. General:—Plant	3,000	
Staff and Supervision	11,000	
Instruments	300	
Contingencies	7,000	
	<hr/>	100,000
Total		£1,667,000
(d) ALLOWANCE TO COVER THE PAYMENT OF THREE YEARS' INTEREST OUT OF CAPITAL		201,000
		<hr/>
		£1,868,000

EAST AFRICA PROTECTORATE.

Rules p 32 pnt

AN ORDINANCE

No. 12 of 1915.

An Ordinance to make further and better provision for Regulating the Leasing and other disposal of Crown Lands, and for other purposes.

[May 18th, 1915.]

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

PART I.

PRELIMINARY.

(1) TITLE, DIVISIONS AND REPEALS.

Short Title and Commencement. 1. This Ordinance may be cited as "The Crown Lands Ordinance, 1915," and shall come into operation on such date as the Governor, by notice in the "Gazette" shall determine.

Divisions. 2. This Ordinance is divided into parts as follows:—

PART I.

PRELIMINARY.

- (1) Title, Divisions and Repeals.
- (2) Definitions.

PART II.

ADMINISTRATION.

- (1) Governor.
- (2) Land Officer.
- (3) Land Rangers.

PART III.

DISPOSAL OF LAND WITHIN TOWNSHIPS.

- (1) Offering of Town Plots.
- (2) Subdivision of plots.

PART IV.

DISPOSAL OF AGRICULTURAL LAND.

- (1) Offering of land for agricultural purposes.
- (2) Leases in pursuance of certain licences granted before the commencement of this Ordinance to be granted under this Part.

- (3) Term of lease and rent to be reserved.
- (4) Covenant as to occupation.
- (5) Covenants as to development.
- (6) Subdivision of farms.

PART V.

DISPOSAL OF LAND FOR SPECIAL PURPOSES.

- (1) Leases and licences for special purposes.
- (2) Licences for temporary occupation of small areas.

PART VI.

RESERVATION OF LAND FOR THE USE OF NATIVE TRIBES.

PART VII.

GENERAL PROVISIONS RELATING TO LEASES, LICENCES AND AGREEMENTS.

- (1) Implied covenants and conditions.
- (2) Rent, royalties and other payments.
- (3) Forfeiture for breach of covenants or conditions.

PART VIII.

TRANSFERS AND OTHER DEALINGS IN LAND.

PART IX.

RESERVATIONS.

- (1) Water.
- (2) Foreshore.
- (3) Minerals.
- (4) Roads, thoroughfares and outspans.
- (5) Resumption of land for public purposes.
- (6) Reservation of lands in occupation of Natives.

PART X.

SURVEYS—SURVEY AND BOUNDARY MARKS.

PART XI.

REGISTRATION OF TRANSACTIONS RELATING TO CROWN LANDS.

- (1) Crown Lands Registry.
- (2) Registration of Crown conveyances, leases and licences.
- (3) Registration of transactions affecting Crown Lands.

PART XII.

MISCELLANEOUS.

- (1) Legal procedure, etc.
- (2) Prohibitions and offences.
- (3) Compensation and arbitration.
- (4) Power to make rules.

3. (1) The Crown Lands Ordinance, 1902, is hereby Repeal.
repealed.

So far as consistent with this Ordinance such repeal shall not affect :—

(i) The past operation of the Ordinance hereby repealed.

(ii) Any agreement, lease or licence heretofore granted or agreed to be granted, under the said Ordinance hereby repealed.

(iii) Any estate, right, title, interest, power, duty, obligation, liability or burden of proof created or imposed by or acquired or exercisable under the said Ordinance repealed hereby in respect of or under, or in relation to such agreement, lease or licence.

(iv) Anything lawfully done or commenced or agreed or authorised to be done under or in pursuance of the said Ordinance repealed hereby in respect of or under or in relation to any such agreement, lease or licence.

(v) Any divisions, exchanges, proclamations, reservations, rules, grants, appointments, payments, surveys, surrenders, disabilities, acts, proceedings, matters and things lawfully made, had, done, created or authorised by under or in pursuance of the said Ordinance repealed hereby.

(2) All such matters and things mentioned in the foregoing sub-divisions of sub-section (i) of this section are, so far as consistent with this Ordinance, hereby preserved and continued and declared to be of the same force and effect as if the said Ordinance were still in force or as if they were under this Ordinance as the case may require.

(3) Provided, however, anything in the preceding sub-sections to the contrary notwithstanding, on and after the coming into operation of this Ordinance land sold under the provisions of the Crown Lands Ordinance, 1902, shall not be liable to forfeiture under the provisions of section 9 of such last mentioned Ordinance.

(4) Any proceeding which at the time of the commencement of this Ordinance may be pending in any Court, or before any arbitrator or other authority shall be proceeded with, heard and determined and the decision or award enforced as if the said Ordinance repealed by this Ordinance was still in force.

(5) Except where otherwise provided, all offences committed, and penalties, forfeitures and liabilities incurred before the commencement of this Ordinance or which may hereafter be committed or incurred in respect of any matter or thing under or against the said Ordinance repealed by this Ordinance may be tried, punished, inquired into and enforced as if the said Ordinance were still in force.

(6) All fees chargeable under the said Ordinance repealed by this Ordinance shall, until other provision is made, continue to be payable for the like matters done under this Ordinance.

(7) Whenever in any Ordinance, Regulations, Rules, Proclamation or document any reference is made to the Crown Lands Ordinance, 1902, such reference shall be read and construed as if this Ordinance had been included in such reference.

4. The Crown Lands (Access to Roads) Ordinance, 1914, is hereby repealed.

(2) DEFINITIONS.

5. In this Ordinance and in all Rules hereunder and all conveyances, leases and licences and in all agreements, notices and documents relating to Crown Land, unless inconsistent with the context, Definitions.

“ Agricultural purpose ” shall include grazing and stock raising.

“ Crown Land ” shall mean all public lands in the Protectorate which are for the time being subject to the control of His Majesty by virtue of any treaty, convention, or agreement, or by virtue of His Majesty's protectorate, and all lands which shall have been acquired by His Majesty for the public service or otherwise howsoever, and shall include all lands occupied by the native tribes of the Protectorate and all lands reserved for the use of the members of any native tribe.

“ Director of Surveys ” shall include a Deputy Director of Surveys and any officer of the Survey Department authorised by the Director of Surveys to perform the duty in relation to which the term is used.

“ European ” shall mean a person of European origin.

“ Farm ” shall mean an area leased for agricultural purposes.

“ Government ” shall mean the Government of the East Africa Protectorate.

“ Licensed Surveyor ” shall mean a surveyor licensed under rules issued under section 158 (1) (i) of this Ordinance.

“ Live Stock ” shall include horses, cattle, sheep, goats, swine, camels, mules, donkeys, ostriches and poultry.

“ Ordinance repealed by this Ordinance ” shall include Regulations repealed by an Ordinance repealed by this Ordinance.

“ Purchaser, ” “ Lessee ” and “ Licensee ” shall include personal representatives, heirs and assigns.

“ Prescribed ” shall mean prescribed by this Ordinance or by any Rules or Regulations made thereunder.

“ Principal Registrar ” shall mean the Principal Registrar of Crown Lands.

“ Race ” shall mean persons of European, Asiatic or African origin as the case may be.

“ Registrar ” shall mean a Registrar of Crown Lands and shall include the Principal Registrar.

“ Registry ” shall mean the Registry of Crown Lands.

“ Township ” shall include a township within the meaning of the East Africa Townships Ordinance, 1903, or any Ordinance amending or substituted for the same, a Municipality and an area reserved for a Township.

PART II.

ADMINISTRATION.

(1) GOVERNOR.

Special powers of Governor.

Subject to directions of Secretary of State may alienate lands on any terms and for any purpose.

Remit covenants, agreements and conditions.

Extend time to purchaser or lessee for performing conditions.

Accept the surrender of a lease or licence.

Accept the surrender of a certificate or lease granted under an earlier law and grant a lease under this Ordinance.

All conveyances, etc., relating to Crown Land deemed to be under this Ordinance unless otherwise provided.

Land Officer to have charge of the Administration of this Ordinance. Assistant Land Officers.

6. The Governor, in addition to, but without limiting any other right, power or authority vested in him under this Ordinance may:—

(i) Subject to the provisions of any Order-in-Council or to any general or special instructions of the Secretary of State, grant lease or otherwise alienate in His Majesty's behalf any Crown Lands for any purpose and on any terms and conditions as he may think fit;

(ii) Wholly or partially remit, except where otherwise provided, all or any of the covenants, agreements or conditions contained in any lease, agreement or licence where, owing to special circumstances, compliance therewith would be impossible or great hardship would be inflicted upon the purchaser, lessee, or licensee;

(iii) Extend, except as otherwise provided, the time to the purchaser, lessee or licensee for performing the conditions contained in any agreement, lease or licence liable to revocation for such period, and upon such terms and conditions, as he may think fit, and the period so extended, and the terms and conditions so imposed shall be deemed to be inserted in the agreement, lease or licence, and shall be binding on the purchaser, lessee, or licensee, and all transferees, mortgagees, assignees and other persons claiming through him;

(iv) Accept the surrender of any lease or licence under this Ordinance; and

(v) Accept the surrender of any certificate granted under the East Africa Land Regulations, 1897, or of any lease granted under the Crown Lands Ordinance, 1902, and grant to the lessee a lease under this Ordinance of the area the subject of the surrendered certificate or lease.

Provided that such surrender shall have been made within such period as the Governor may by notice in the Gazette direct, such period to be not less than twelve months from the date on which this Ordinance shall come into operation. And provided that the provisions of this clause shall not apply to land granted under the East Africa Land Regulations 1897 or leased under the Crown Lands Ordinance 1902 respectively upon terms which differ from the ordinary terms in force at the time at which such land was granted or leased.

7. All conveyances, leases and licences of or for the occupation of Crown Lands and all proceedings, notices and documents under this Ordinance, made, taken, issued or drawn, shall save as therein otherwise provided, be deemed to be made, taken, issued or drawn under and subject to the provisions of this Ordinance and of all Rules for the time being in force under this Ordinance.

(2) LAND OFFICER.

8. The Governor shall appoint a Land Officer who shall have charge of the administration of this Ordinance, and shall further appoint such Assistant Land Officers as the Governor may deem necessary to transact the administration of the Ordinance and of any law regulating the sale, letting, disposal and occupation of Crown Land.

The Land Officer and Assistant Land Officers holding office at the coming into operation of this Ordinance shall be deemed to have been appointed under this Ordinance.

An Assistant Land Officer may subject to any general or special directions from the Land Officer, perform any of the duties or do any of the acts or things required or authorised by this Ordinance to be done by the Land Officer.

Duties of Assistant Land Officer.

9. The principal office of the Land Officer (in this Ordinance referred to as the Land Office) shall be at Nairobi, and there shall be such sub-office or sub-offices at such place or places as the Governor may from time to time determine.

Office and sub-office of Land Officer

10. The Land Officer may subject to any general or special directions from the Governor, execute for and on behalf of the Governor any conveyance, lease or licence of or for the occupation of Crown Lands and do any act or thing, exercise any power, and give any order or direction and sign or give any document, which may be done, exercised, given or signed by the Governor under this Ordinance. Provided, however, that nothing in this section shall be deemed to authorise the Land Officer to exercise any of the powers conferred upon the Governor by sections 6, 8, 9, 12, 18, 25, 26, 39, Part VI, Part VII or sections 103, 137, or 158.

Land Officer may execute conveyances and leases and do certain other acts under this Ordinance for and on behalf of the Governor.

see memo letter No 290 of 16/1/16 6th April 1916

11. (1) All actions, suits and proceedings by or on behalf of His Majesty or by or on behalf of the Governor or the Government respecting Crown Lands, or respecting any contract relating thereto, or any breach of any such contract or any trespass on such land, or any damages accruing by reason of such trespass, or for the recovery of any rents, purchase money, or other moneys in respect of such land, or in respect of any damages or wrongs whatsoever in any way suffered by the Crown in respect of Crown Lands or for the recovery of any fine or the enforcement of any penalty under this Ordinance, may be commenced, prosecuted and carried on by and in the name of the Land Officer, and the Land Officer may be plaintiff or defendant, as the case may require, in any such action, suit or proceeding. In any such action suit or proceeding the Land Officer may be represented by any advocate, or by any officer of the Land Department or by any administrative officer.

Actions relating to Crown Land to be brought by and in the name of the Land Officer.

(2) The Land Officer may on behalf of His Majesty or the Governor distrain for rent due under any lease or licence granted under this Ordinance, or under any Ordinance repealed by this Ordinance, and may authorise any person to act for him in this behalf.

Land Officer may distrain for the rent due.

(3) LAND RANGERS.

12. The Governor may appoint Land Rangers who shall perform such duties as may be prescribed by this Ordinance or as may from time to time be directed by the Land Officer.

Land Rangers.

13. A Land Ranger with such assistants as he thinks fit may enter from time to time between sunrise and sunset upon any Crown Land whether sold or leased or the subject of a licence under this Ordinance or any Ordinance repealed by this Ordinance, or any building or enclosure or other place within such land for the purpose of performing any duty imposed upon him, but shall if required by the owner or occupier, produce and show the authority under which he claims to enter or has entered on such land.

Land Ranger may enter upon occupied land in performance of his duties.

Penalty for obstructing Land Ranger.

14. If any person shall wilfully obstruct or hinder any Land Ranger or any servant or assistant of his in the execution of his duty, he shall be liable to a fine not exceeding five hundred rupees or to imprisonment of either description not exceeding one month or to both.

PART III.

DISPOSAL OF LAND WITHIN TOWNSHIPS.

(1) OFFERING OF TOWN PLOTS.

Land Officer may cause land in Township to be divided into suitable building plots.

15. The Land Officer may cause any portion of a Township which is not required for public purposes to be divided into plots suitable for the erection of buildings for business or residential purposes, and such plots may from time to time be disposed of in the manner hereinafter prescribed.

Leases may be granted for 99 years.

16. Leases of town plots may be granted for any term not exceeding ninety-nine years.

Rent etc., to be determined by Land Officer.

17. Before any town plot is disposed of under the next succeeding section, the Land Officer shall determine :

- (a) the rent which shall be payable in respect of such plot;
- (b) the upset price at which the lease of such plot will be sold;
- (c) the building conditions to be inserted in the lease of the plot; and
- (d) the special covenants, if any, which shall be inserted in the lease.

Leases to be sold by auction unless Governor shall otherwise order.

18. Leases of town plots shall unless the Governor shall otherwise order in any particular case or cases be sold by auction.

Notice of sale and conditions to be published in the Gazette.

19. The place and time of sale shall be notified in the "Gazette" not less than four weeks or more than three months prior to the day of sale, and the notice shall state :

- (a) the number of plots and the situation and area of each plot;
- (b) the upset price at which the lease of each plot will be sold;
- (c) the amount of survey fees and the cost of the deeds for each plot;
- (d) the term of the lease and the rent payable in respect of each plot; and
- (e) the building conditions and the special covenants (if any) to be inserted in the lease to be granted in respect of any plot.

Provided, however, that the lease of any plot may be withdrawn from sale by the Land Officer, at any time prior to the same being offered for sale.

Auctioneer to read the terms and conditions of sale.

20. The Auctioneer shall, before the commencement of the sale, read the terms and conditions of the sale, and all persons bidding at the sale shall be bound by the terms and conditions so read.

Highest bid and name of purchaser to be announced and deposit of one-quarter of the purchase money to be paid.

21. The highest bid for the lease of each plot, together with the name of the purchaser shall be announced by the auctioneer before proceeding to offer the lease of the next plot, and the purchaser shall thereupon pay one-quarter of the purchase money. In default of payment of the deposit, the lease of the plot may be offered for sale immediately, and any subsequent bid by the person who has made default may be ignored or refused.

22. (1) The balance of the purchase money together with the rent due to the 31st December, next following, the prescribed survey fee and the fees payable for the preparation and registration of the lease and the stamp duty payable in respect of the lease shall be paid to the Land Officer at the Land Office within seven days from the date of the sale, and upon such payments being duly made the purchaser shall subject to the provisions of this Ordinance and if the conditions of the sale have been complied with, be entitled to a lease of the plot, which lease shall be presented to him for execution as soon as conveniently may be.

Balance of purchase money, rent, Survey and other fees to be paid within one month.

Provided that the balance of the purchase money shall not be payable within the time stated or thereafter unless and until the Land Officer can present to the purchaser the lease of the plot duly executed.

(2) The lease shall commence on the 1st day of the month next following that in which the sale shall have been held and rent shall be payable from the commencement of the lease.

23. Subject to the proviso contained in section 22 (1) if the balance of the purchase money together with the rent fees and duty mentioned in the preceding section is not paid to the Land Officer within seven days from the date of the sale, the Land Officer may order that the deposit made by the purchaser be forfeited to the Government and that the purchaser shall have no further claim to a lease of the plot.

If not paid the purchaser to lose his right to a lease and the deposit to be forfeited.

(2) SUB-DIVISION OF TOWN PLOTS.

24. (1) In every lease of a town plot under this Ordinance there shall be implied by virtue of this Ordinance a covenant by the lessee not to divide the plot and assign any portion thereof.

Subdivision of town plots prohibited.

(2) If the lessee of a town plot is desirous of dividing such plot and assigning a portion thereof, application shall be made to the Governor through the Land Officer to accept a surrender of the lease of the plot and to issue new leases of the plot in parcels.

Except by surrender of original lease and granting of new leases, subject to approval of Governor.

No such application shall be entertained unless the building conditions (if any) in the lease have been complied with.

(3) If the Governor shall approve of a proposed division of a plot, he may authorise the Land Officer to accept the surrender of the original lease, and to grant leases of the plot in such parcels as he may have approved.

Terms and conditions of new leases.

Such new leases shall be granted for a term equal to the unexpired period of the term of the original lease, and shall be granted on the same terms and conditions as the original lease subject only to such modifications as the Governor may approve in consequence of the reduced area of the parcels. Provided, however, that in no case shall the annual rent reserved on any parcel be less than 5 rupees.

(4) All cost and expenses of and in connection with the surrender of the lease and the granting of the new leases shall be paid by the person making application under sub-section (2).

Applicant to pay all expenses of surrender and granting of the new lease.

PART IV.
DISPOSAL OF AGRICULTURAL LAND.

(1) OFFERING OF LAND FOR AGRICULTURAL PURPOSES.

Agricultural land to be divided into farms.

25. The Land Officer may cause land available for leasing for agricultural purposes to be surveyed and divided into farms which shall not, except with the consent of the Governor, exceed 5,000 acres, or, except with the consent of the Secretary of State, exceed 7,500 acres.

Leases to be sold by auction except when Governor shall otherwise order.

26. Leases of farms shall, unless the Governor shall otherwise order in any particular case or cases, be sold by auction.

Notice of auction.

27. When land available for leasing for agricultural purposes shall have been surveyed and divided into farms and it is proposed that leases thereof shall be sold by auction, the Land Officer shall give notice in the "Gazette" of the place and time which shall not be within three months of the date of the publication of such notice, at which leases in respect of such farms will be offered for sale by auction.

Such notice shall state:—

- (a) the situation of the farms and the approximate area of each farm and the time when and place where the plan of each farm may be seen;
- (b) the upset price at which the lease of each farm will be sold;
- (c) whether persons other than Europeans will be permitted to bid for the lease of the farms;
- (d) any special covenant or condition to be inserted in any lease to be granted;
- (e) the annual rent to be paid for each farm for the first period of the lease, as hereinafter defined; and
- (f) the survey fees and the cost of the deeds to be paid in respect of each farm.

Provided, however, that the Land Officer may withdraw any lease from sale at any time before the same is offered for sale.

Auctioneer to read terms and conditions of sale.

28. (1) In the case of sales under this Part the auctioneer shall, before the commencement of the sale, read the terms and conditions of the sale and all persons bidding at the sale shall be bound by the terms and conditions so read.

(2) The highest bid for the lease of each farm together with the name of the purchaser shall be announced by the auctioneer before proceeding to offer the lease of the next farm and the purchaser shall thereupon pay one-tenth of the purchase money. In default of payment of the deposit the lease of the farm may be offered for sale immediately and any subsequent bid by the person who has made default may be ignored or refused.

Payment of balance of purchase money.

29. (1) The purchaser shall, on or before the first day of the month next following the month in which the sale has been held or if such day be a Sunday or Public Holiday on the first day thereafter which is neither a Public Holiday or Sunday, notify the Land Officer in writing whether he desires to pay the balance of the purchase money forthwith or desires to pay the same by instalments as hereinafter provided.

(2) If the purchaser shall elect to pay the balance of the purchase money forthwith, he shall pay the same together with the rent and other payments as in the next succeeding section provided.

(3) If the purchaser shall elect to pay the balance of the purchase money by instalments, such balance shall be paid by nine equal yearly instalments commencing on the first day of January next following the date of the sale. There shall be included in the covenants of the lease a covenant expressing the amount of each instalment due and the date on which each such instalment is due. Unless each such instalment is paid on the date on which it falls due the amount of each such instalment shall be deemed to be added to the annual rent reserved by the lease and shall be payable and recoverable as rent.

(4) Whenever the balance of the purchase money shall be payable by instalments, no assignment of the land leased or any part thereof shall be valid until the whole of the balance of the purchase money shall have been paid.

Provided, however, that the lessee may at any time pay to the Land Officer the balance of the purchase money, and the Land Officer shall on the receipt of such balance endorse the lease accordingly.

30. The purchaser shall, on or before the first day of the month next following that in which the sale has been held, or if such day is a Sunday or Public Holiday, on the first day thereafter which is neither a Sunday nor Public Holiday, pay to the Land Officer at the Land Office, the rent due to the 31st December next following, the survey fees, the fees for the preparation and registration of the lease and the stamp duty payable in respect of the lease, and, if the purchaser shall have elected to pay the balance of the purchase money forthwith, the balance of the purchase money, and upon such payments being duly made the purchaser shall subject to the provisions of this Ordinance and if the conditions of the sale have been complied with, be entitled to a lease of the farm, which lease shall be presented to him for execution as soon as conveniently may be.

Rent, Survey fees, etc. to be paid on or before the 1st day of the month following the date of sale.

31. (1) If the payments mentioned in the last preceding section are not made within the prescribed time, the Land Officer may order that the deposit made by the purchaser be forfeited to the Government and that the purchaser shall have no further claim to a lease of the farm.

If payment not made the deposit may be forfeited.

(2) The lease shall commence on the first day of the month next following that in which the sale has been held and rent shall be payable from the commencement of the lease.

(2) LEASES IN PURSUANCE OF CERTAIN LICENCES GRANTED BEFORE THE COMMENCEMENT OF THIS ORDINANCE TO BE GRANTED UNDER THIS PART.

32. Every person to whom a licence under the Rules under the Crown Lands Ordinance, 1902, dated February 28th, 1911, or February 12th, 1913, or May 6th, 1914, shall have been granted or to whom such licence shall have been transferred with the consent of the Governor, may surrender the same and obtain a lease under this Part. Provided that such surrender shall have been made within such period as the Governor may by notice in the *Gazette* direct such period to be not less than twelve months from the date on which this Ordinance shall come into operation.

The holders of certain licences granted before the commencement of the Ordinance may surrender their licences and obtain leases under this Part.

33. Every lease granted in pursuance of a licence under either of the Rules referred to in the last preceding section shall be granted under this Part for a term of 999 years from the date of the licence. Provided, however, that in the case of a lease issued in pursuance of a licence

Leases in pursuance of certain licences to be granted under this Part.

granted under the Rules dated February 28th, 1911, the lease shall, if the licensee shall so elect, reserve rent at the rates prescribed by Rule 6 of the said Rules, in lieu of the rents prescribed in this Part.

(3) TERM OF LEASE AND RENT TO BE RESERVED.

Lease to be for a term of 999 years.

34. Every lease under this Part shall, subject to the provisions of this Ordinance, be granted for a term of 999 years.

For the purposes of rent term to be divided into three periods.

35. For the purposes of the rent to be reserved under a lease under this Part the term of the lease shall be divided into periods, the first period to expire on December 31st, 1945, the second period to expire on December 31st, 1975, the third period to expire on December 31st, 2005, and each period thereafter to expire on December 31st of every thirtieth year following to the end of the term.

Rent.

1st period 2nd and Subsequent periods.

36. The annual rent payable under a lease under this Part shall be payable in advance on the first day of January in each year and shall be for the first period at the rate of 10 cents per acre or part of an acre, for the second period at the rate of 1 per cent. on the unimproved value of the land in the year 1945, for the third period at the rate of 2 per cent. on the unimproved value of the land in the year 1975, and for each subsequent period of thirty years at the rate of 3 per cent. on the unimproved value of the land assessed every thirty years.

Valuation of land for rent.

37. The Land Officer shall, during the years 1945 and 1975 and after 1975 in every thirtieth year until the expiration of the term cause the land the subject of a lease under this Part to be valued for the purpose of determining the rent which shall be payable for the land for the second or third period or for each subsequent period of such lease whichever shall be the next following the period in which such valuation is made.

In the ascertainment of the value of any land under this section there shall not be taken into consideration in augmentation of such value the value of improvements made or done on the land.

Lessee to be given notice of rent to be paid for the following period.

38. (1) After each valuation provided for in the preceding section shall have been made and before the expiration of the year in which such valuation was made the Land Officer shall cause a notice to be served upon the lessee setting forth the value of the land determined and the annual rent which in accordance with such valuation will be payable by him during the next following period, and calling upon the lessee to state in writing whether he objects to the valuation.

(2) If within one month of the date of the notice in the preceding sub-section mentioned the lessee does not notify the Land Officer in writing that he objects to the valuation, rent shall be payable in accordance with such valuation.

(3) If within one month of the date of the notice mentioned in sub-section (1) the lessee notifies the Land Officer in writing that he objects to the valuation, the question of the value of the land shall be referred to and determined by arbitration.

(4) COVENANT AS TO OCCUPATION.

Covenant against occupation by Non-European.

39. There shall by virtue of this Ordinance be implied in every lease granted under this Part to a European a covenant that he shall not without the consent of the Governor in Council appoint or allow a Non-European to be manager or otherwise to occupy or be in control of the land leased.

(5) COVENANTS AS TO DEVELOPMENT.

40. The First Schedule to this Ordinance including the rules therein shall have effect as part of this Ordinance.

The First Schedule with the notes and rules therein to be read as part of the Ordinance. Implied covenants as to development of farms.

41. Except where expressly varied or excepted there shall, by virtue of this Ordinance, be implied in every lease under this Part covenants by the lessee :—

(1) That he will within the first three years of the lease effect or place on the land leased improvements of the nature and to the value specified in the First Schedule hereto as the improvements to be effected within such time upon a farm of the like area;

(2) That he will at all times after the expiration of the third year of the lease have and maintain on the land leased improvements of the nature and to the value required under the last preceding covenant;

(3) That he will within the first five years of the lease effect or place on the land leased additional improvements of the nature and to the value specified in the said Schedule as the additional improvements to be effected within such time upon a farm of the like area; and

(4) That he will at all times after the expiration of the fifth year of the lease have and maintain on the land leased additional improvements of the nature and to the value required under the last preceding covenant.

(6) SUBDIVISION OF FARMS.

42. In every lease under this Part there shall, by virtue of this Ordinance, be implied a covenant by the lessee not to divide the land leased and assign any portion thereof, and not without the consent of the Governor-in-Council to divide the land leased and sub-let any portion thereof.

Subdivision and assignment or subletting of portions of farms prohibited.

43. (1) If a lessee of land leased under this Part is desirous of dividing the land comprised in the lease and assigning any portion thereof, application shall be made to the Governor-in-Council through the Land Officer to accept a surrender of the lease of such land and to issue leases of the same in parcels. Provided that no such application shall be entertained unless the whole of the purchase price in respect of such lease shall have been paid.

Lessees desirous of subdividing may apply to Governor to accept surrender of lease and to grant new leases.

(2) Every application under this section shall be accompanied by a sketch showing the proposed subdivisions and shall state whether the applicant desires that the conditions as to development and maintenance of development expressed or implied in the original lease shall attach to one parcel only, and if so to which parcel, or to two or more parcels, and, if so, in what proportions.

44. (1) If the Governor-in-Council shall approve the proposed subdivision, he may authorise the Land Officer to accept the surrender of the original lease and to grant new leases of the land in such parcels as he may approve.

Subject to Governor's approval surrender of lease may be accepted and new leases granted.

(2) Every such new lease shall be granted for a term equal to the unexpired period of the term of the surrendered lease, and shall be subject to the same covenants and conditions as the surrendered lease except that :—

(a) the covenants implied by virtue of section 41 may be varied, provided that the total development required under the combined new leases shall not be less than the development which was required under the original lease; and

(b) the rent reserved in each lease shall be at the rate prescribed in section 36 of this Ordinance, provided that for no period of the lease shall the annual rent reserved in respect of any parcel be less than five rupees.

Applicant to pay all expenses of surrender and granting of new leases.

(3) All costs and expenses of and in connection with the surrender of the lease and the granting of new leases shall be paid by the person making application under section 43.

Subdivision not to affect rights of the Governor under section 89.

45. Whenever any lease of an area of more than 200 acres shall have been surrendered and new leases shall have been granted in respect of parcels of such land the rights reserved to the Governor-in-Council under section 89 in respect of leases of more than 200 acres may be exercised by the Governor-in-Council in respect of any such parcel whether or not the area of such parcel shall be 200 acres in area or less.

PART V.

DISPOSAL OF LAND FOR SPECIAL PURPOSES.

(1) LEASES AND LICENCES FOR SPECIAL PURPOSES.

Application for leases or licences for special purposes.

46. Every application for a lease or licence of or relating to Crown Land for any special purpose shall be made in writing in the form prescribed and shall give such particulars as may be required by rules under this Ordinance.

If any person shall make a false statement in such application with regard to any of the particulars required as aforesaid he shall forfeit all moneys paid by him in respect of the lease or licence applied for.

Governor's sanction for lease or licence under this Part.

47. Save as in this Part or in any Rules under this Ordinance otherwise provided, the Land Officer shall not entertain any application under this Part without the sanction of the Governor first obtained.

Rent, etc. to be as prescribed by rules or determined by the Governor.

48. The rent to be reserved under any lease or licence under this Part, the period and the covenants and conditions of the lease or licence shall be such as may be prescribed by rules under this Ordinance or as may be determined by the Governor.

Sale by auction of leases for special purposes.

49. The Land Officer may, with the approval of the Governor, cause a lease or licence under this Part to be sold by auction.

The provisions of sections 19 to 23 (both inclusive) of this Ordinance shall, so far as applicable, apply to every sale by auction under this Part.

Implied covenants.

50. Except where expressly varied or excepted, there shall, by virtue of this Ordinance, be implied in every lease under this Part covenants by the lessee:—

(a) Not to assign sublet or otherwise part with the possession of the land leased or any part thereof, without the previous consent of the Governor in writing.

(b) Not to use the land leased for any purpose other than the purpose or purposes specified in the lease.

(2) LICENCES FOR TEMPORARY OCCUPATION OF SMALL AREAS.

Licence for temporary purposes.

51. (1) Licences to occupy Crown Land for temporary purposes and to erect thereon a hut or huts or other temporary erection may be granted by the Land Officer.

(2) A licence under this section shall not permit the occupation of more than 10 acres of land.

Licence not to be allowed for more than 10 acres. Licence to be or one year.

(3) Unless it is expressly provided otherwise, a licence under this section shall continue for one year and thenceforward until the expiration of any three months' notice to quit: provided that such notice to quit may be served upon the licensee at any time after the expiration of nine months from the date of the licence.

(4) The rent payable under any licence under this section shall be payable monthly or at such other period as the licence shall provide.

Rent payable under licence.

(5) The benefit of a licence under this section may, with the consent of the Land Officer, be transferred by the licensee, and such transfer and the consent thereto shall be endorsed on the licence.

Transfer of licence.

52. The occupant of any Crown Land under a licence under the preceding section may remove any hut or other building erected by him during his occupation of the land at any time before the licence expires.

Removal of building under temporary licence.

53. If the rent payable under any licence granted under section 51 is unpaid for one month after it became due, or if any tax or taxes imposed upon the land, or upon the huts erected on the land, or upon the licensee are unpaid for two months after they became due, or if the occupant of such land fails to keep the land in a reasonably clean condition the Land Officer may declare his licence to be forfeited.

Penalty for unpaid rent, etc.

PART VI.

RESERVATION OF LAND FOR THE USE OF NATIVE TRIBES.

54. The Governor-in-Council shall, either by general or particular description, and whether the same has been surveyed or not, reserve from sale, lease or other disposal under this Ordinance any Crown Land which in his opinion is required for the use or support of the members of the native tribes of the Protectorate. Such reservation shall not confer on any tribe or member of any tribe any right to alienate the land so reserved or any part thereof.

Reservation of lands for natives

55. Notice of every such reservation shall be published in the "Gazette." Save as hereinafter provided lands so reserved shall not be sold, leased or otherwise disposed of under this Ordinance.

Notice of reservation to be published in the "Gazette."

56. The Governor-in-Council may, at any time by notice in the "Gazette," if satisfied that the whole or any part of any land so reserved is not required for the use and support of the members of the native tribe for which it has been reserved, cancel such reservation as regards the whole or a part of such land and thereupon the land the reservation of which has been so cancelled may be sold, leased or otherwise disposed of under this Ordinance. Provided that such notice shall not be published unless the approval of the Secretary of State shall have been first obtained.

Governor in Council may alter native reserves.

57. The Governor-in-Council may at any time by Proclamation in the "Gazette" exclude from lands reserved under section 54 any land which may be required for any of the following purposes:—

Governor in Council may exclude from land reserved land required for public purposes.

1. For public roads.
2. For public reservoirs, aqueducts, canals or water-courses.
3. For quays, wharves or landing places.
4. For railways or tramways, and buildings and works in connection therewith.

- 5. For public buildings.
- 6. For trading centres.
- 7. For any other public purpose that he may think fit whether similar to any of those mentioned above or not;

without paying compensation except for buildings and crops destroyed or damaged.

Provided that if it shall appear to the Governor-in-Council that the exercise of any power given under this section to exclude land from lands reserved under section 54 has reduced the area of such reserved land below the area required for the use or support of the members of the tribe for whom it has been reserved then the Governor-in-Council shall from contiguous unalienated and unreserved Crown Land, if any, add to such reserved land an area equivalent to the area of the land excluded.

Rules and penalties.

58. The Governor may make rules enforceable by penalties not exceeding three hundred rupees for the management and control of any land reserved for the use of the members of a native tribe.

PART VII.

GENERAL PROVISIONS RELATING TO LEASES, LICENCES AND AGREEMENTS.

(1) IMPLIED COVENANTS AND CONDITIONS.

Implied covenants by the lessor.

59. Except as otherwise provided there shall in every lease under this Ordinance be implied by virtue of this Ordinance covenants by the lessor,

- (a) That he has full power to grant the lease.
- (b) That the lessee, paying the rent and fulfilling the conditions therein contained shall quietly hold and enjoy the premises without lawful interruption by the lessor or any person claiming under him, except so far as the laws in force for the time being in the Protectorate may permit.

Implied covenants and conditions by the lessee or licensee.

60. In every lease and licence under this Ordinance there shall, by virtue of this Ordinance, be implied covenants and conditions by the lessee or licensee,

- (a) That he will pay rent and royalties thereby reserved at the time and in the manner therein provided.
- (b) That he will pay such taxes, rates, charges, duties, assessments, or outgoings of whatever description as may be imposed charged or assessed upon the land or the buildings thereon or upon the lessor or grantor, or lessee or licensee in respect thereof.

Buildings on leased Crown Lands.

61. In the absence of special provisions to the contrary in any lease or licence under this Ordinance, all buildings on Crown Lands leased or occupied under a licence whether erected by the lessee or licensee or not, shall, on the determination of the lease or licence pass to His Majesty without payment of compensation. Provided, however, that in the absence of any special provision to the contrary in the lease whenever land is leased by the Crown for a term not exceeding thirty years the lessee shall be at liberty within three months of the termination (otherwise than by forfeiture) of such lease to remove any buildings erected by him on the land leased during the currency of such lease, unless the Governor shall elect to purchase such buildings. In the event of the Governor

and the lessee not agreeing as to the purchase price of such buildings the same shall be determined by arbitration.

62. (1) Every covenant or condition whether expressed or implied in a lease or licence under this Ordinance which is binding on a lessee or licensee, shall, unless otherwise expressly provided in the lease or licence, be binding upon all persons claiming an interest in the land the subject of the lease or licence and whose title is derived through or under the lessee or licensee.

Covenants and conditions binding on persons claiming under lease or licence.

(2) Any minor who becomes a lessee or licensee under this Ordinance shall be in the same position with regard to his liability and obligations under or in respect of his lease or licence as though he were of full age.

Obligations of minors.

(2) RENT, ROYALTIES AND OTHER PAYMENTS.

63. The rent, royalties, and payments reserved under any lease or licence shall be a debt to the Crown and shall be paid by the lessee or licensee at the office of the Land Officer or at such other place as may be prescribed.

Rent.

64. (1) If the rent or any principal, instalment, royalty or other payment payable under any agreement lease or licence under this Ordinance or under any Ordinance repealed by this Ordinance shall at any time be unpaid for a space of 30 days after the same became due, and the Land Officer shall have served a notice upon the person in default demanding payment, the person in default shall pay for such notice a fee of five rupees and such fee shall be recoverable by the Land Officer by action in his own name in any Court of competent jurisdiction.

Fee for notice of default & penalty for nonpayment of rent, etc.

(2) If the rent or any principal, instalment, royalty or other payment payable under any agreement, lease or licence under this Ordinance or under any Ordinance repealed by this Ordinance shall at any time be unpaid for a space of 90 days after the same became due and a notice shall have been served under sub-section 1 there shall be payable in addition by way of penalty a sum equivalent to 5 per centum of the sum due. If such rent or other sum shall at any time be unpaid for a space exceeding 120 days after the same became due and a notice shall have been served under sub-section 1 there shall be payable in addition by way of penalty a sum equivalent to 10 per centum of the sum due.

65. If any rent, principal, instalment, royalty or other payment payable under any agreement lease or licence under this Ordinance or under any Ordinance repealed by this Ordinance shall be in arrear; the Land Officer, without prejudice to his right to recover in any other way, may sue for the same, together with any fee or penalty which may be payable under the last preceding section; in any Court of competent jurisdiction.

Land Officer may sue for rents, etc. in arrear.

(3) FORFEITURE FOR BREACH OF COVENANT OR CONDITION.

66. If the rent or royalties or any part thereof reserved in a lease under this Ordinance shall at any time be unpaid for the space of 30 days after the same has become due, or if there shall be any breach of the lessee's covenants, whether express or implied by virtue of this Ordinance the Land Officer may serve a notice upon the lessee specifying the rent or royalties in arrear or the covenant of which a breach has been committed, and at any time after one month from the service of the notice may commence an action in the High Court for the

Forfeiture of lease if rent unpaid or for breach of covenant.

recovery of the premises, and, on proof of the facts, the High Court shall, subject to relief upon such terms as may appear just, declare the lease forfeited, and the Land Officer may re-enter upon the land.

In exercising the power of granting relief against forfeiture under this section the Court shall be guided by the principles of English law and the doctrines of equity.

Forfeiture of licence.

67. (1) Save where other provision is made in this Ordinance, if the rent or any part thereof payable under a licence issued under this Ordinance shall at any time be unpaid for a space of 30 days after the same has become due or if the licensee shall fail to comply with, or shall commit any breach of, the conditions, whether express or implied, of his licence the Land Officer may cause an application to be made to a Magistrate of a Subordinate Court of the First Class within whose local jurisdiction the land the subject of the licence is situate, to declare the licence forfeited.

(2) Upon receipt of such application together with a statement specifying the rent in arrear or the condition which has not been complied with or of which a breach has been committed the Magistrate shall cause to be served upon the licensee a copy of such statement together with a notice of the date, not being less than fourteen days from the date of such notice, when the application will be heard.

(3) If upon the date fixed for the hearing of the application or to which such hearing is adjourned it shall be proved to the satisfaction of the Magistrate that rent is in arrear or that the licensee has failed to comply with or has committed a breach of any of the conditions of the licence, he shall, subject to such relief against forfeiture for non-payment of rent as to him may seem just, declare the licence forfeited.

Debt to Crown not extinguished by forfeiture.

68. No forfeiture shall operate to extinguish any debt to the Crown in respect of any rent, royalty or other payment to be made by a lessee or licensee under a lease or licence forfeited.

Acceptance of purchase money or rent not to operate a waiver of forfeiture.

69. The acceptance by or on behalf of the Crown of any purchase money or part thereof or of any rent or other payment under any lease or licence shall not be held to operate as a waiver by the Crown of any forfeiture accruing by reason of the breach of any covenant or condition annexed to any sale, lease or licence of or respecting Crown Land whether the sale lease or licence be under this Ordinance or under any other Ordinance relating to the disposal of Crown Land.

PART VIII.

TRANSFER OF AND DEALINGS IN LAND.

70. This Part shall apply to :—

Lands to which this part applies.

- (a) All lands sold or leased or otherwise disposed of under this Ordinance and
- (b) All lands sold leased or otherwise disposed of under the Crown Lands Ordinance, 1902, or the East Africa Lands Regulations, 1897.

Purchasers, transferees etc., of Land to give notice in certain cases to Land Officer of transaction.

71. Whenever any land to which this Part applies is sold, transferred, mortgaged, assigned, leased or sub-leased whether by or under the orders of a Court or otherwise howsoever if the person or persons or any of them to whom such land is sold, transferred, mortgaged, assigned, leased or sub-leased is or are of a different race to the person by whom such land is sold, transferred, mortgaged, assigned, leased or sub-leased then it shall be

the duty of the purchaser, transferee, mortgagee, assignee, lessee or sub-lessee to notify the Land Officer in writing of the transaction within one month of the completion thereof and to furnish the Land Officer in the form and manner prescribed with full particulars of the nature of the transaction of the land affected and as to the parties to the transaction or interested therein.

72. Any person who being required by the provisions of the last preceding section to give the notice aforesaid and to furnish the particulars required, shall, if he shall without lawful excuse fail to give the notice and furnish the particulars within the time prescribed, be liable to a fine not exceeding 1,500 rupees, or if he shall in furnishing the particulars aforesaid make any statement which he knows to be false or if he wilfully withholds any information which he is required to furnish, be liable to a fine not exceeding 3,000 rupees and to imprisonment of either description for a term not exceeding one year. Provided, however, that no proceedings shall be taken under this section except with the consent of the Governor-in-Council.

Penalty for failure to give notice, or for giving false information.

73. (1) It shall be lawful for the Governor-in-Council to veto any sale, transfer, mortgage, assignment, lease or sub-lease to which the provisions of section 71 of this Ordinance apply.

Governor in Council may veto sale, etc. in certain cases.

Provided that the consent of the Governor to such sale, transfer, mortgage, assignment, lease or sub-lease has not previously been given and provided further that whenever notice of such sale, transfer, mortgage, assignment, lease or sub-lease has been given and the required particulars furnished as in this Part provided the right of veto shall not be exercised except within three months of the receipt by the Land Officer of the notice and particulars of the transaction.

(2) Whenever the Governor-in-Council shall exercise the right of veto in respect of any sale, transfer, mortgage, assignment, lease or sub-lease, notice that such right has been exercised shall be published in the "Gazette," and from the date of such publication the sale, transfer, mortgage, assignment, lease or sub-lease, in respect of which such veto has been exercised shall be null and void.

Veto to be notified in the "Gazette" and the sale etc. vetoed to be there-after void.

(3) The Principal Registrar shall cancel or cause to be cancelled the registration of every document evidencing or purporting to evidence any transaction in respect of which the veto has been exercised under this section.

74. The Governor may make Rules exempting lessees for short terms, subject to such conditions as may be prescribed, from the obligations under section 71 to notify such leases and the particulars thereof.

Governor may by rule exempt lessees for short terms from the obligations of this Part.

PART IX.
RESERVATIONS.

(1) WATER.

75. A conveyance, lease or licence under this Ordinance, shall not unless otherwise expressly provided therein confer any right to the water of any spring, river, lake, or stream, other than to such water as may be required for domestic purposes upon the land sold, leased or occupied under the licence.

Reservation of water.

(2) FORESHORE.

Reservation
of foreshore.

76. A conveyance, lease, or licence under this Ordinance shall not unless otherwise expressly provided therein confer any right to the foreshore.

(3) MINERALS.

Reservation
of minerals
and precious
stones.

77. (1) Except as herein or in any conveyance, lease or licence otherwise expressly provided, a conveyance, lease or licence under this Ordinance shall not confer any right to any gold, silver, copper, tin, or metals, ores, mineral products or substances containing metals or any gems or precious stones, or coal or mineral oils in under or upon any Crown Lands.

(2) There is hereby reserved to the Crown the right to enter upon any land granted, sold, leased or occupied under a licence under this Ordinance and to search for, work and remove any gold, silver, copper, tin, and metals, ores, minerals, mineral products and substances containing metals, and gems and precious stones, coal and mineral oils in under or upon any such lands, provided that the Governor-in-Council may make rules providing for compensation to be payable or relief to be given to the grantee, purchaser, lessee or occupier under a licence of such land for any damage done to buildings, roads, or crops or otherwise and for any interference with the rights of occupancy of such land.

(3) A purchaser or lessee of Crown Lands under this Ordinance or under the Crown Lands Ordinance 1902, or the East Africa Land Regulations, 1897, may remove and use any of the minerals mentioned in the second Schedule or which may hereafter be added to such Schedule by a Proclamation in the "Gazette" made by the Governor with the consent of the Secretary of State, and found in or upon the land purchased or leased.

Provided, however, that a lessee of Crown Land situate within a Township or leased for building purposes shall not exercise the rights by this section conferred except with the consent of the Land Officer first obtained and in accordance with such conditions as the Land Officer shall impose with the purpose of preventing damage to the surface of the land leased or occupied.

(4) The right reserved to the Crown to enter upon any Crown Land sold or leased and to remove therefrom any of the minerals mentioned in the second Schedule or which may hereafter be added to such Schedule, shall not be exercised without the consent of the purchaser or lessee, except such mineral is required for a public purpose.

Provided that any pit or quarry made in the exercise of such right shall be filled up, fenced or secured by and at the expense of the Government.

(5) A purchaser or lessee of Crown land under this Ordinance may, subject to the provisions of this sub-section, without the payment of a royalty remove any of the minerals mentioned in the third Schedule hereto or any mineral which may hereafter be added to such Schedule by a Proclamation made by the Governor in the "Gazette," which may be found upon the land sold or leased provided that such minerals shall be removed in such quantities only as may be required for use on such land and shall be used for the purposes of the farm on such land only. Provided, however, that the right conferred by this sub-section shall not apply to any such minerals

within any area included within any claim under the mining laws or which is the subject of a lease granted for the mining or working of such mineral.

78. A right reserved to the Crown under the preceding section may be exercised by any person or persons authorised by the Governor or by or under any Ordinance or law relating to mines or minerals.

Delegation of rights reserved to Crown.

(4) ROADS, THOROUGHFARES AND OUTSPANS.

79. All proclaimed or reserved roads thoroughfares and outspans being or existing on any land sold or leased under this Ordinance or under the Crown Lands Ordinance, 1902, or the East Africa Land Regulations, 1897, shall remain free and uninterrupted unless the same be closed or altered by the order of the Governor or by competent authority.

Saving of public road, etc.

80. (a) Every purchaser, holder, lessee or licensee of Crown Lands under this Ordinance, the Crown Lands Ordinance, 1902, or the East Africa Land Regulations, 1897, shall, if there is no direct road of access to the land held by him by means of a reserved or proclaimed road, be entitled to a cart road of access and also to free ingress and egress thereby for himself and all others to and from the land held or occupied by him to a reserved or proclaimed road through and over any Crown Land whether such land is under lease, licence or not and through and over any land which has been purchased or is otherwise held under the provisions of this Ordinance or the Crown Land Ordinance, 1902, or the East Africa Land Regulations, 1897. Such road of access shall not interfere with any building used for residential, farming or industrial purposes or with any garden or stock yard and shall in every case follow such a direction and be so marked as to occasion as little damage or inconvenience to the purchaser, holder, lessee or licensee of the land traversed as may be possible.

Right of access to public roads.

(b) In the case of a road of access being constructed over Crown Land which has not been sold and is not under lease or licence the Land Officer shall determine the direction and marking of such road.

(c) In the case of any dispute as to the direction and marking of such a road of access any party to such a dispute may refer the matter to the Land Officer whose decision thereon shall be final and binding on all parties to such dispute.

81. (1) The person requiring a road of access shall pay to the purchaser, holder, lessee or licensee of the Crown Land which such road traverses compensation in respect of any growing crops or permanent improvements damaged or destroyed by the construction of such road.

Compensation payable.

(2) In the event of any dispute arising between the person requiring a road of access and the holder of the land to be traversed as to the amount of compensation to be paid under sub-section 1 the matter shall be referred to the Land Officer whose decision thereon shall be final and binding on all parties.

82. After the direction and marking of a road of access have been determined by the consent of the person requiring such road and the purchaser, holder, lessee or licensee, as the case may be, of the land which such road is to traverse or in the cases provided by section 80 (b) and (c) by the decision of the Land Officer, it shall be lawful for the person requiring such road forthwith to use the same as a road of access and to enter upon the land which such road is to traverse with all necessary

Right to enter and to contract and use road.

Refer to Sec 19

Provided always that in the event of a larger proportion than 4 per cent. of the total area of any land sold or leased under this Ordinance being taken for any such purpose or purposes there shall be paid to the purchaser or lessee, as the case may be, compensation for the land taken in excess of such proportion, such compensation shall not exceed the value of land taken in excess of the said proportion.

Proviso as to compensation.

90. When any land sold or leased under this Ordinance is 200 acres in area or less the Governor-in-Council may at any time hereafter enter upon such land and resume any land for roads, railways, tramways, canals, water-channels and outspans paying compensation for the land taken.

Compensation for land taken to be paid if original sale or lease 200 acres or less.

91. The Governor-in-Council may at any time hereafter enter upon any land sold leased or occupied under a licence under this Ordinance and resume possession of land for railway stations, sidings or other public works of whatever nature whether similar to those mentioned or not, paying compensation for the land taken.

Governor in Council may enter upon land and construct railway station, etc.

92. (1) The Governor-in-Council may by writing under his hand authorise Officers of the Government and contractors, their servants and agents to exercise the powers conferred upon him by sections 87 to 91 (both inclusive) of this Ordinance.

Delegation of powers.

(2) Whenever under any of the sections in the preceding sub-section mentioned compensation is payable, such compensation shall not, in any case, exceed, in the case of buildings and crops destroyed or damaged, the market value of the buildings or crops, and, in the case of land resumed, the market value of such land.

Compensation not to exceed the market value of land etc.

(3) Resumption of land under this Part may be effected before the compensation (if any) is paid either by actual entry on the lands resumed, or by the service of notice of resumption on the occupier, purchaser, lessee or licensee.

Resumption how effected.

(4) Whenever land which has been leased is resumed under this Part the lessee shall be entitled to a proportionate reduction in his rent.

Reduction of rent in respect of land resumed.

(6) RESERVATION OF LANDS IN OCCUPATION OF NATIVES.

93. (1) The Governor may grant leases of areas of land containing native villages or settlements without specially excluding such villages or settlements, but land in the actual occupation of natives at the date of the lease shall, so long as it is actually occupied by them, be deemed to be excluded from the lease.

Land in occupation of natives.

(2) Any land within an area leased which has been in the occupation of natives shall, on ceasing to be occupied, pass to the lessee.

Provided that the Provincial Commissioner for the time being of the Province in which such land is situated shall certify that the natives have ceased to occupy such land of their own will and accord and without any duress on the part of the lessee.

(3) Any doubts that may arise as to whether any land is or is not included in any native settlement or village, or in lands allotted for that purpose, shall be decided by the Provincial Commissioner.

(4) Either the lessee of the land or the natives, if dissatisfied with the decision of the Provincial Commissioner, may appeal to the Governor.

PART X.

SURVEYS—SURVEY MARKS AND BOUNDARY MARKS.

Surveys for purposes of sale or leases by the Crown.

94. (1) All surveys of Crown Lands for the purposes of any sale, lease or licence under this Ordinance or under any Ordinance repealed by this Ordinance shall be conducted under the direction of the Director of Surveys.

A plan approved by the Director of Surveys to be attached to all documents subdividing Crown land.

(2) Whenever after the date of the coming into operation of this Ordinance any land sold or leased by the Crown whether before or after such date, shall be subdivided by the purchaser or lessee, the land sub-divided shall, for the purposes of such sub-division, be surveyed by a Government or Licensed Surveyor, and no document which purports to convey or assign a portion of land sold as aforesaid or to assign the interests of a lessee in a portion of land leased as aforesaid shall be registered or accepted for registration under this Ordinance except there be attached thereto a plan approved and signed by the Director of Surveys for the purposes of such document.

(3) Every Surveyor executing a survey for the purpose of a sub-division of land sold or leased by the Crown or Government shall send to the Director of Surveys all plans field notes and computations, together with a written description of all boundaries. All such plans field notes and computations shall be deposited with and be the property of the Survey Department.

Powers of Surveyor.

95. The Director of Surveys or any person authorised, either specially or generally by him or his deputy,

(1) may enter, from time to time, upon any Crown Land or private land whatever, with such assistants as he thinks fit for the purpose of making any survey which he is authorised to make, and may affix or set up thereon trigonometrical stations, survey pegs, marks, or poles; or for the purpose of inspecting any such survey or station, or of altering, repairing, moving or removing any trigonometrical station, survey peg, mark or pole; and

(2) may do all things necessary for such survey, or for any inspection, repair or alteration thereof.

Before entering the Director of Surveys or person authorised as aforesaid, shall, when practicable, give reasonable notice to the owner or occupier of the land of the intention to enter thereon.

Compensation shall be paid by the Government to the owner of any crops or trees cut or damaged in the exercise of any power granted by this section.

Penalty for injuring Survey marks.

96. If any person not duly authorised shall take away, or be found in possession of, or remove, destroy, displace, or alter the position of, any trigonometrical station, boundary or survey mark, front or ranging peg, post, block, or stone which shall be fixed, placed, or set up for the purpose of any survey authorised by the Government or of any local authority or of any survey carried on for the purposes of this Ordinance, or for the purpose of any boundary, or shall wilfully deface, obliterate, mutilate, break, or destroy any such station, mark, peg, post, block, or stone, every person so offending shall be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding two months, or to both.

Penalty for obstructing Surveyors.

97. If any person shall wilfully obstruct or hinder any authorised surveyor or any servant or assistant of his, duly authorised by him, in the execution of his duty in

or about ascertaining or marking out any boundary or survey-lines or in or about the fixing, placing, restoring, repairing, or setting up any trigonometrical station, boundary or survey mark, ranging-peg, post, block, or stone for the purposes aforesaid, or shall in any way resist such surveyor or other person as aforesaid in the performance of his duty as aforesaid, every such person shall be liable to a fine not exceeding five hundred rupees, or to imprisonment of either description not exceeding one month or to both.

98. (1) All permanent marks erected or placed for the purpose of denoting the boundaries of land sold or leased or the subject of a licence under this Ordinance shall be shown on the plan to be attached to the conveyance, lease or licence, or on the plan or map referred to in the conveyance, lease or licence. Boundary marks to be shown on plan.

(2) It shall be the duty of every purchaser, lessee or licensee to ascertain within 60 days of the receipt of his conveyance, lease or licence with a plan attached, that the boundary marks shown on the plan are in place as shown on the plan.

(3) If a purchaser, lessee or licensee shall within 60 days of the receipt of his conveyance, lease or licence with a plan attached notify the Land Officer in writing that he is unable to find the boundary marks shown on the plan, and shall deposit with the Land Officer a sum not exceeding Rs. 500 or such smaller sum as may be sufficient to cover the cost of the enquiry, the Land Officer shall notify the Director of Surveys who shall enquire into the matter.

(4) If as a result of the enquiry the Director of Surveys shall find that the boundary marks are not in place as shown on the plan he shall cause boundary marks to be erected or placed in accordance with the plan or a new and correct plan to be prepared, as the case may require, and in such case the sum deposited shall be refunded to the purchaser, lessee or licensee.

(5) If as a result of the enquiry the Director of Surveys shall find that the boundary marks are in place as shown on the plan, the sum deposited or such portion thereof as shall be sufficient to cover the cost of such enquiry shall be retained by the Government.

(6) Whenever the Director of Surveys shall under sub-section (4) of this section cause a new and correct plan to be prepared, such plan shall be attached to the conveyance, lease or licence, and it shall be the duty of the purchaser, lessee or licensee to produce the conveyance, lease or licence for the purpose, and such plan shall for all purposes be deemed to be the plan referred to in the body of the conveyance, lease or licence.

99. Every purchaser, lessee or licensee of Crown Land shall maintain the marks erected for the purpose of denoting the boundaries of land sold or leased to him or occupied by him. Every purchaser, lessee or licensee who shall fail to maintain such marks shall be liable to a fine not exceeding seventy-five rupees in respect of every such default, and shall also be liable to pay the expenses of and in connection with the re-marking of the same. Provided that where one mark is common to the land of two or more persons whether purchasers, lessees or licensees, each shall be severally liable to the aforementioned fine, but the expenses of and in connection with re-marking shall be divided between them. Obligation to maintain boundary marks.

100. The land on which any trigonometrical station is situate which shall comprise all land within 20 feet of the centre mark of such station, together with a right of way to and from the same, shall, for the purposes of All sites for trigonometrical station deemed to be reserved.

survey, and notwithstanding any alienation thereof, be deemed to be Crown Land and to have been and to be excepted out of such alienation.

PART XI.

REGISTRATION OF TRANSACTIONS RELATING TO CROWN LANDS.

(1) CROWN LANDS REGISTRY.

Interpretation.

101. In this Part the expression "land registered under this Part" shall mean land in respect of which the conveyance, lease or licence from the Crown or Government is required by the provisions of this Part to be registered in the Crown Lands Registration Office.

This Part not to apply to leases or licences granted under the laws relating to mining.

102. Nothing in this Part shall apply to or affect any lease or licence granted under the Mining Ordinance, 1912, or under any Ordinance repealed by such Ordinance or any transfer of, or other transactions in relation to, any such lease or licence or any right thereunder.

Crown Lands Registration Office to be established and Registrars appointed.

103. (1) There shall be established under the control of the Land Officer at Nairobi and at such other places as the Governor-in-Council may prescribe an office to be known as the Crown Lands Registration Office.

(2) The Governor shall appoint an officer to be known as the Principal Registrar of Crown Lands, with such assistant registrars as may from time to time be required.

(2) REGISTRATION OF CROWN CONVEYANCES, LEASES AND LICENCES.

Land Officer to deliver for registration all subsisting conveyances, etc.

104. The Land Officer shall on the coming into operation of this Ordinance deliver to the Principal Registrar for registration as hereinafter directed the original duplicate or counterpart of every subsisting conveyance, lease or licence of or in respect to Crown Land made or granted by or on behalf of His Majesty or the Government before such date.

Registration of Crown conveyances, etc. made after commencement of this Ordinance.

105. Every conveyance, lease or licence of or in respect of Crown Land made or granted by or on behalf of His Majesty or the Government after the commencement of this Ordinance shall be in duplicate. The duplicates shall be delivered by the Land Officer to the Principal Registrar who shall on receiving from the purchaser, lessee or licensee the prescribed fee register the same in the manner hereinafter directed, and shall thereafter deliver one of such duplicates to the Land Officer for issue with a memorandum of registration endorsed thereon.

Crown conveyances, etc. to be bound up in the register of Crown Lands.

106. The Principal Registrar shall keep a register to be called the "Register of Crown Lands" and shall bind up therein every document delivered to him under section 104 and also a duplicate of every conveyance, lease or licence delivered to him under section 105, and each conveyance, lease or licence shall constitute a separate folium of such register and the Principal Registrar shall cause to be recorded therein the particulars of every document, dealing and other matters by this Ordinance required to be registered or entered in the register affecting the land included under each conveyance, lease or licence.

Subsequent transaction to be recorded in the register.

Record of particulars of certain documents registered under the Registration Regulations 1901 to be entered in the Register.

107. The Principal Registrar shall as soon as conveniently may be after the receipt from the Land Officer of any document under section 104 cause search to be made in the registers kept under the East Africa Registration Regulations, 1901, for any registered transaction relating to the land the subject of such document and make abstracts of every such registered transaction subsisting or appearing to be subsisting at such date and enter such abstracts in the folio of the register of Crown Lands in which the aforesaid document is registered.

(3) REGISTRATION OF TRANSACTIONS AFFECTING CROWN LANDS.

108. All transactions entered into after the commencement of this Ordinance, affecting, or conferring or purporting to confer, declare, limit or extinguish any right, title, or interest, whether vested or contingent, to, in or over, land registered under this Part (other than a letting for one year only or for any term not exceeding one year) and all mutations of title by succession or otherwise shall be registered under this Part.

Transactions affecting registered land and mutations of title to be registered.

109. No evidence shall be receivable in any Civil Court:—

Transfers leases mortgages, etc. to be effected by registered instrument in writing.

(1) of the sale, lease or other transfer *inter vivos* effected after the commencement of this Ordinance of land registered under this Part, unless such sale lease or other transfer is effected by an instrument in writing and such instrument has been registered under this Part.

(2) of a lien mortgage or charge (other than such as may arise or be created in favour of the Crown or the Government under or by virtue of any Ordinance or other enactment) of or upon such land created after the commencement of this Ordinance unless the mortgage or charge is created by an instrument in writing, and the instrument has been registered under this Part.

(3) of a sale or other transfer *inter vivos* effected after the commencement of this Ordinance of a registered lien mortgage or charge, unless such sale or other transfer is effected by an instrument in writing and such instrument has been registered under this Part.

Provided, however, that nothing hereinbefore contained shall apply to an equitable mortgage by deposit of documents of title provided that a memorandum of such equitable mortgage shall have been registered in the register. On the discharge of such equitable mortgage a memorandum of such discharge shall be registered in the register. Every memorandum shall be transmitted to the registry in duplicate and shall be in such form and there shall be paid on the registration thereof such fee as may be prescribed.

Proviso as to equitable mortgage.

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110. Every document executed after the commencement of this Ordinance and every will of a person dying after the commencement of this Ordinance, creating, declaring, assigning, limiting or extinguishing any right, title, or interest to or in or over land registered under this Part, shall, unless registered under this Part, be deemed void against all parties claiming an adverse interest thereto on valuable consideration by virtue of any subsequent document which has been duly registered.

Document to be registered. Effect of non-registration.

Provided that:

Provisos.

(1) Fraud or collusion in obtaining such last mentioned document, or in securing such prior registration, shall defeat the priority of the person claiming thereunder.

(2) Priority shall not be lost merely in consequence of the person claiming under the registration having been affected with actual or constructive notice of the document first executed, except in the case of actual fraud.

(3) Nothing herein contained shall be deemed to give any greater effect or different construction to any document registered in pursuance thereof, save the priority hereby conferred on it.

(4) Such priority shall not be effected by the subsequent registration of any document executed before the document first registered.

(5) Every will of a testator dying after the commencement of this Ordinance shall, so far as regards any land registered under this Part to be effected thereby, take effect as against other documents affecting the same land from the date of its registration. Provided that every such will shall take effect from the date of the death of the testator if registered :

- (i) In the case of a person dying within the Protectorate, within three months next after such death.
- (ii) In the case of a person dying elsewhere than in the Protectorate, within the twelve months next after such death.

Documents exempt from provisions of sections 109 and 110.

111. Nothing in the last two preceding sections shall apply to :

- (a) any composition deed.
- (b) any document relating to shares in a joint stock Company, notwithstanding that the assets of such Company consist in whole or in part of land registered under this Part; or
- (c) any debenture issued by such Company, and not creating, declaring, assigning, limiting or extinguishing any right, title or interest to or in land registered under this Part, except in so far as it entitles the holder to the security afforded by a registered instrument, whereby the Company has mortgaged, conveyed or otherwise transferred the whole or part of its immovable property, or any interest therein, to trustees upon trust for the benefit of the holders of such debentures; or
- (d) any endorsement upon or transfer of any debenture issued by any such Company;
- (e) any document not itself creating, declaring, assigning, limiting or extinguishing any right, title or interest to or in land registered under this Part, but merely creating a right to obtain another document, which, will, when executed, create, declare, assign, limit or extinguish any such right title or interest;
- (f) a lease for one year only or for any term not exceeding one year.

Certain documents executed before the commencement of this Ordinance to be registered in the Registry.

112. (1) Every document executed before the commencement of this Ordinance, creating declaring assigning limiting or extinguishing any right title or interest to in or over land registered under this Part which shall not before the commencement of this Ordinance have been registered under the East Africa Registration Regulations, 1901, shall forthwith be registered under this Part by the person in whose favour the document is made or his successor in title. Provided, however, that if the document shall not be presented for registration within the time prescribed for the registration of such document under the aforesaid Regulations the person presenting the same for registration shall be liable to the payment of the fines prescribed in section 10 of the said Regulations and the Principal Registrar may impose such fine in his discretion and delay registration until the same is paid.

(2) Every such document as aforesaid if not registered within six months after the commencement of this Ordinance shall be void against all parties claiming an adverse interest thereto by virtue of any subsequent document which shall have been duly registered, subject however to the like provisos as are set forth in section 110 of this Ordinance.

113. (1) Any person desirous of registering a document registrable under this Part shall personally or by his agent produce or send the same together with a duplicate or correct copy thereof and of any plan or map and the prescribed fee for registration at or to the Registration Office.

Production of documents for registration.

(2) Upon receipt of such document and duplicate or copy and the aforesaid fee a registrar shall forthwith enter the document consecutively according to the order of its receipt in a book to be kept in the prescribed form, and which shall be called "The Day Book" and he shall thereafter, subject to the provisions of this Part, register the document in the manner hereinafter directed.

(3) Upon such registration the document shall, save as hereinafter provided, be deemed to have been registered at the time of its entry in the day book.

114. Any person who shall acquire any right title or interest in or to or over any land registered under this Part on the death, bankruptcy or liquidation of any person, or under a certificate or order of, or on the sale by, any Court, shall send to the registry a memorandum in the prescribed form for registration together with the prescribed fee for such registration.

Registration of mutations of title on death, etc.

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115. Any person in whose favour any judgment, decree or order has been pronounced granted or made relating to or affecting any land registered under this Part may transmit to the registry a certified copy of such judgment decree or order together with the prescribed fee for registration.

Judgments and orders of a Court may be registered.

116. A registrar may refuse to register any document presented for registration under section 112 if the title of the person creating declaring assigning limiting or extinguishing the right title or interest is not evidenced by a registered document or memorandum or by some entry in the register.

If title of person creating, etc. interest, etc. is not evidenced by a registered document or entry, registrar may refuse to register document.

117. Powers of Attorney relating to or affecting land registered under this Part and revocations of such powers shall be registered in such manner as may be prescribed by rules under this Ordinance, and a registrar may refuse to register any document executed by an attorney whose authority has not been duly registered.

Powers of Attorney to be registered.

118. (1) Every registrar shall be entitled, if he sees fit so to do, to require any person applying for the registration of any document to prove its due execution, the identity of the property affected by the document or of the parties to it, and in case of a copy, other than the copy of a judgment decree or order of a Court, the loss or destruction of the original. And where he may have reason to apprehend that a fraud has been or is about to be committed on any person, he shall give notice to such person of the intended registration in order to prevent the same being effected to his prejudice.

Registrar may call for proof and give notice to third parties.

(2) If the registrar is satisfied upon enquiry that the document was duly made and, in the case of an authenticated copy, of the loss or destruction of the original, and as to the identity of the property or the parties, and that there is no reason to believe that a fraud has been or is about to be committed, he shall subject to the other provisions of this Part and the rules under this Ordinance register the document, and the registration shall take effect from the time of the entry in the day book.

(3) If he is not satisfied he shall refuse to register the document, and shall return the same unregistered, together with a statement of his reasons in writing and shall record his refusal in the day book.

Plans attached to documents presented for registration to be signed by a Government or Licensed Surveyor, and countersigned by the Director of Surveys.

119. (1) A document other than a judgment decree or order of a Court, to which there is attached a map or plan which is not signed by a Government or Licensed Surveyor, and countersigned by the Director of Surveys, shall not be accepted for registration.

Registrar may require a plan to be attached to a document presented for registration.

(2) Whenever a registrar shall consider that in regard to any document presented for registration a description of the boundaries of any land, sufficiently clear and accurate to prevent confusion cannot be obtained unless a plan is attached to the document he may refuse to register the document until a plan of the land the subject of the document signed by a Government or Licensed Surveyor, and countersigned by the Director of Surveys, is attached to the document and presented for registration therewith.

Provided, however, in the case of such refusal if the document is presented for registration together with a plan to the satisfaction of the registrar within such time as the registrar shall consider reasonable under the circumstances of the case the document shall be deemed to have been registered at the time of its entry in the day book.

And provided further an appeal shall lie against an order made by a registrar under this sub-section to the Principal Registrar, and the Principal Registrar may reverse or alter such order; and if the order of the Principal Registrar directs the document to be registered, the registrar shall obey the same; but if the Principal Registrar confirms the order of the registrar his decision thereon shall be final.

Mode of description of lands in documents.

120. (1) Every document produced for registration shall contain embodied therein, or in a Schedule annexed thereto, and accurate and clear description of the property affected thereby, its boundaries, extent and situation, and either a reference to the volume and folio of the register in which such property has been previously registered, or a reference to the conveyance lease or licence from the Crown or Government relating to the land affected by the transaction.

(2) If such property consists of a divided portion of land, the property of the person alienating the same or any interest therein, such portion shall be clearly and accurately defined by its particular boundaries and extent, and accompanied by a plan signed by a Government or Licensed Surveyor and countersigned by the Director of Surveys.

Treatment of documents executed in violation of preceding section.

(3) If such property consists of an undivided share in immovable property, the proportion which the same bears to the entire property shall be stated, and a description of such property shall be given as required by sub-section (1).

121. No document which does not state the particulars required by the preceding section shall be admitted to registration except with the sanction of the Principal Registrar, upon the necessary particulars being supplied by affidavit by the person producing the document for registration, and on such other terms as the Principal Registrar may think expedient.

122. (1) An appeal shall lie against an order refusing to register any document from the registrar to the Principal Registrar, and the Principal Registrar may reverse or alter such order.

Appeal from order refusing registration.

(2) Any person dissatisfied with the decision of the Principal Registrar on such appeal may, except as otherwise provided in sub-section (2) of section 119 appeal against the same to the High Court within thirty days from the decision being communicated to him. The registrar shall, in terms of the decision of the Principal Registrar or in case of an appeal being taken, of the High Court on appeal, register or refuse to register the same.

(3) If the Principal Registrar acting as a registrar shall refuse to register any document any person dissatisfied with the order refusing to register such document may appeal against the same to the High Court within 30 days from the date of such order. The Principal Registrar acting as a registrar shall in the terms of the decision of the High Court on appeal register or refuse to register such document.

123. (1) If the registration of the document be ordered by the Principal Registrar or the High Court to be made on condition of the payment of a fee for registration or other terms, then upon the compliance of the person seeking registration with such condition or terms the registrar shall register such document, and the same shall be deemed to have been registered on the date of such compliance.

Registration ordered conditionally should take effect from time of compliance with condition.

(2) If the Principal Registrar or the High Court in appeal shall decide that the document should have been registered when originally tendered to the registrar, the document shall, upon registration, be deemed to have been registered at the time of its entry in the day book.

124. If any document presented for registration is not written in English, the registrar shall refuse to register the same. Provided that the Registrar shall register any document not written in English presented for registration under the provisions of section 112, and provided that the Registrar shall not register any document written in English and executed by a native of African extraction unless there is appended to such document a certificate by a Magistrate empowered to hold a Subordinate Court of the First, Second or Third Class that such document has been read over interpreted and explained to the person executing the same in such Magistrate's presence and that such person has understood and agreed to the terms thereof.

As to documents not written in English.

125. (1) It shall be competent to any person to lodge with the registrar a caveat in the prescribed form, to prevent the registration of any document affecting any land registered under this Part, and such caveat shall state a postal address within the Protectorate of the person lodging the same, and, upon payment of the prescribed fee and upon the Registrar being satisfied that the person lodging the caveat has given or is about to give notice of the caveat to any person to whom the Registrar considers that such notice should be given, shall be registered.

Caveat against Registration of Document.

1/20 put

(2) On such caveat being registered the party lodging the same shall be entitled to notice of any application for registration of any document affecting the land mentioned in the caveat, which notice shall be deemed to have been duly given if posted to the address stated in the caveat.

(3) Where the caveat limits the time of its operation it shall cease to have any force upon the lapse of such time.

(4) No caveat shall be sufficient to prevent the registration applied for unless it be followed up within thirty days after the posting of the notice of application for such registration by an action before some competent Court and notice thereof to the registrar, in which case the registrar shall suspend the registration until the final adjudication of such action, and shall then give effect to such adjudication.

Person entering caveat without due cause liable for damages.

126. Any person lodging any caveat without reasonable cause shall be liable to make to any person who may have sustained damage thereby such compensation as may be just; and such compensation shall be recoverable in an action at law by the person who has sustained damage from the person who lodged the caveat.

Fee and stamp duty to be paid before registration.

127. No document shall be registered unless the fee prescribed has been paid and, if the document is one which is liable to stamp duty under the provisions of the Indian Stamp Act, 1879, or other enactment for the time being in force in the Protectorate, the document is duly and sufficiently stamped.

Registration how effected.

128. Save as may be otherwise prescribed by rule under this Ordinance, the registrar shall cause a duplicate or copy to be filed of every document accepted for registration, and in the case of a document within the proviso to section 124 also of the translation, and shall also enter an abstract or note of the document in such part of the volume of the register as relates to the land affected by such document. Every such duplicate or copy shall bear the number of the volume and folium in which the same is registered and the date of registration.

Document when registered to be endorsed by registrar.

129. The registrar shall, immediately after registration, make and sign an endorsement thereof in the prescribed form on the document registered, and the filed duplicate or copy thereof, and deliver the original to the person who presented it for registration, or his agent or representative.

p 21 for

Errors in register may be corrected.

130. The registrar may, upon such evidence as shall appear to him sufficient, subject to any rules under this Ordinance, correct errors and supply omissions in the register or in any entry therein and may call in any outstanding instrument for that purpose.

Power of registrar to hold enquiry.

131. For the purpose of enquiries under this Ordinance, the Principal Registrar and any registrar shall have power to cite and examine witnesses upon oath or affirmation and to call for the production of any document material to the enquiry from the person having custody of the document.

Appeals to High Court.

132. Every appeal to the High Court under this Part shall be dealt with and disposed of in such manner as the High Court shall, by rules of Court, prescribe.

Certified copy of Crown grants etc. to be admissible in evidence.

133. (1) A copy of any conveyance lease or licence from the Crown or Government registered in the registry, certified to be a true copy under the hand of a registrar, shall be admissible in evidence of its contents in all Courts of Justice in the Protectorate.

Certified copies of documents lost or destroyed.

(2) In the event of the loss or destruction of any document registered under this Part, a copy certified under the hand of a registrar shall be admissible in evidence as to its contents in all Courts of Justice in the Protectorate.

Certified copy of an entry in the register to be evidence.

134. Every certified copy of any entry in the register, purporting to be signed by a registrar, shall be receivable in evidence in any case without further or other proof thereof unless it is alleged to be a forgery.

135. A registrar or a person acting under his orders shall not be liable to any action, suit or proceeding for or in respect of any matter done or omitted to be done in good faith under this Ordinance.

Registrar not to be liable for anything done in good faith.

136. Subject to such precautionary directions as may be given by the Principal Registrar, and on payment of the prescribed fees the register and day book shall, at all times at which the registry office is open for the transaction of business, be open to be searched and examined by any applicant and certified copies of any document or extract therefrom or of any entry in the register may be obtained on application to the registrar.

Register to be open to inspection.

But no person shall be permitted to copy any document or to make any note or memorandum relating thereto or to any entry, except the registered number and the date of registration.

137. (1) Nothing in this Ordinance contained shall make it obligatory on a registrar to do any act or permit any act to be done in respect of which a fee is prescribed, except on payment of the fee.

Fees.

(2) The Principal Registrar may, in special cases and with the consent of the Governor, remit or reduce any of the prescribed fees.

138. The East Africa Registration Regulations, 1901, and the East Africa Registration of Documents Ordinance, 1902, shall not apply to any document registrable under this Part. Provided, however, if any document shall relate both to land registered under this Part and to other land, such document shall be registered under this Ordinance and also under the said Regulations.

The Registration Regulations 1901 and the Registration of Documents Ordinance 1902 not to apply to document registrable under this Part.

PART XII.

MISCELLANEOUS.

(1) LEGAL PROCEDURE, ETC.

139. When any person without right, title or licence, or whose right, title or licence has expired or been forfeited or cancelled, shall be in occupation of Crown Land, the Land Officer or some person appointed by him in writing may enter a suit in any Court of competent jurisdiction to recover possession thereof. If on the hearing of such plaint the defendant does not appear or appears but fails to establish to himself an absolute right or title to the possession of the land, the Court shall order that possession of the land sought to be recovered shall be given by the defendant, either forthwith or on or before such a day as the Court thinks fit to name, and that the defendant do pay the costs or, if it is shown by or on behalf of the plaintiff to the satisfaction of the Court hearing the plaint, that the title under which the defendant claims has, as between himself and His Majesty, expired or been forfeited or cancelled, the Court shall declare such title to be extinguished, and may order that possession of the land sought to be recovered be given by the defendant to the plaintiff, either forthwith or on or before such a day as the Court thinks fit to name, and that the defendant do pay the costs.

Recovery of Crown Lands in unlawful occupation.

140. In any action, suit or proceedings against any person for or in respect of any alleged unlawful occupation, use of, or trespass upon any Crown Land, the proof that the occupation or use in question was authorised by the provisions of this Ordinance or of any other Ordinance or law or of any order, regulation or rule made in pursuance thereof, shall lie on the defendant, and in every such action, suit or proceeding and in any action by or against the Government in which title to land shall be in

Evidence in proceedings under this Part.

issue the averment that any land in question is Crown Land shall be sufficient without proof of such fact, unless the defendant prove the contrary and all maps, plans, licences, certificates, and copies certified as true under the hand of the Land Officer, Director of Surveys or Deputy Director shall be sufficient evidence of their contents without production of original records, and without the personal attendance of such officers, or proof of their signatures.

As to title claimed under Mahomedan law.

141. In any action, suit or proceeding to which the Crown or the Government is a party no right or title to the possession of land within such parts of the Protectorate as are at the date of the coming into operation of this Ordinance within the dominions of the Sultan of Zanzibar or the Sultan of Witu, claimed under and in accordance with Mohammedan law, shall be recognised as against the Crown or Government unless the person claiming such right or title shall not only establish in himself such right or title but prove to the satisfaction of the Court that he or some predecessor in title was in possession or was entitled to possession of the land prior to the fourteenth day of December one thousand eight hundred and ninety five.

Right of Crown to sue not to be barred by limitation.

142. No action or other remedy by or on behalf of the Crown for the recovery of the possession of any Crown Land shall be barred or affected by any Statute, Ordinance or other law of limitation.

Suit for rent not barred by limitation.

143. No Statute, Ordinance or other law of limitation shall bar or affect any action or remedy for the recovery of any rent, principal, interest or instalment due under any lease, licence or agreement under this Ordinance, or under any Ordinance repealed by this Ordinance.

Right of way not to be presumed against the Crown.

144. No right-of-way shall be presumed or allowed to be asserted or established as against the Crown, by reason only of user, whether such user commenced before or after the passing of this Ordinance.

Procedure in action against the Crown.

145. All actions, unless brought on behalf of the Crown or Government for anything done under this Ordinance shall be commenced within six months after the cause of action shall have arisen, and not afterwards. Notice in writing of such action, and the cause thereof shall be given to the defendant, one month at least before the commencement of the action. In every such action the defendant may plead the general issue, and give this Ordinance and the special matter in evidence at the trial to be had thereupon. No plaintiff shall recover in any such action if tender of sufficient amends shall have been made before action brought, or if a sufficient sum of money shall have been paid into Court by or on behalf of the defendant after action brought, together with the costs incurred up to that time.

Service of notice.

146. A notice served personally on the person to be served or sent by registered letter to his last known address in the Protectorate or published once in the "Gazette" shall be deemed to be good service for the purposes of this Ordinance.

(2) PROHIBITIONS AND OFFENCES.

Offering money to abstain from bidding an offence.

147. Every person who shall directly or indirectly offer or propose to accept or receive money or other valuable consideration as an inducement to abstain from bidding or competing as a purchaser or intending purchaser of Crown Land, or of any lease or licence of such land, advertised for sale by public auction, and whether or not the land or the lease or licence shall actually

be put up for sale, shall be guilty of an offence, and shall, on conviction thereof, be liable to imprisonment of either description for any period not exceeding twelve months, or to a fine not exceeding three thousand rupees.

148. Every person who shall actually receive money or other valuable consideration for abstaining from bidding for or competing for the purchase of Crown Land or of a lease or licence of such land which shall have been advertised for sale by auction, and whether or not the land or the lease or licence shall actually be put up for sale, shall be guilty of an offence, and shall, on conviction thereof, be liable to imprisonment of either description for any period not exceeding two years or to a fine not exceeding seven thousand five hundred rupees.

Actual receipt of money therefor an offence.

149. Whoever in any declaration made or subscribed under or for any purpose of this Ordinance, shall make any statement which is false and which he either knows or believes to be false or does not believe to be true, touching any point material to the object for which the declaration is made used or required, may be punished with imprisonment of either description for a term which may extend to three years, or with a fine not exceeding three thousand rupees, or with both such imprisonment and fine.

Penalty for making a false declaration.

150. A purchaser lessee or licensee shall allow the Governor or any person acting under his directions or in the execution of his duty as an Officer of the Protectorate to enter upon the land sold or leased or occupied under a licence.

Officer may enter upon land in execution of duty.

Any person who shall wilfully prevent or attempt to prevent any such person from entering upon land as aforesaid or shall obstruct or hinder such person in the execution of his duty shall be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding one month or to both.

Penalty for obstructing officer.

151. Any person who shall unlawfully occupy Crown land, in any manner whatsoever, shall, on conviction, be liable to a fine not exceeding seven hundred and fifty rupees.

Penalty for unauthorised occupation of Crown Land.

152. Save as in any sale lease or licence otherwise expressly provided no person shall dam any spring, river or stream or divert any water from any spring, river, stream or lake on any land sold or leased, or occupied under a licence, under this Ordinance or any Ordinance repealed by this Ordinance or on any unalienated Crown land except with the consent of the prescribed officer and subject to such conditions as may be prescribed by rules under this Ordinance or in any licence or authority granted under such rules.

Diversion of river or stream unlawful without licence.

Any person who shall, in breach of the provisions of this section, dam any spring river or stream or divert water from any spring river stream or lake, shall, on conviction, be liable to a fine not exceeding one thousand five hundred rupees in addition to the expense of removal of the dam or other work erected or done in breach of the provisions of this section, and it shall be lawful for the prescribed officer or any person authorised by him in writing, without any warrant, forthwith summarily to remove such dam or work and prevent such diversion, at the cost of the party erecting the dam or causing the diversion.

Penalty.

153. Whoever shall, by materials of any kind, except by gates approved by the Governor, wilfully obstruct or injure any road street highway or waterway vested in the Crown, so as to hinder the free passage of any person carriage or vessel thereon, shall, on conviction, be liable to

Penalty for obstructing roads and ways.

a fine not exceeding one thousand five hundred rupees, in addition to the expense of removal, and it shall be lawful for any Magistrate, Justice of the Peace, Land Ranger, Police Officer, or person authorised in writing by any Magistrate, without any warrant forthwith summarily to remove and prevent every such obstruction, at the cost of the party causing the same.

Purchaser or lessee not to impound stock unless land fenced.

154. No purchaser or lessee of Crown land, and no person occupying Crown land under a licence or agreement to purchase shall impound any stock trespassing upon such land unless the land or the portion thereof trespassed upon was, at the date of the trespass, enclosed with a fence reasonably sufficient to keep out stock.

Provided always that nothing in this section contained shall apply to any trespass knowingly or wilfully caused by the owner or person in charge of stock, or shall be deemed to affect or limit the provisions of the Diseases of Animals Ordinance, 1906, or any Ordinance amending or substituted for such Ordinance or any Rules under any such Ordinance.

Travellers Camps.

155. (1) Travellers shall be allowed to encamp with their servants, animals, waggons and baggage, for a period not exceeding forty-eight hours, on any land purchased or leased from the Crown or occupied under a licence under this Ordinance, which is uncultivated, and which is not within a quarter of a mile of a dwelling house, and shall be allowed access with their servants and animals to any spring, river, stream or lake upon the land :

(2) Any person refusing to allow travellers to encamp, or to have access to water under this section, or interfering with travellers who are encamped, or any traveller refusing after request from the owner, lessee or licensee of the land, to depart after the expiration of the forty-eight hours, or interfering in any way with the comfort or convenience of the owner, lessee or licensee of the land, shall be guilty of an offence, and shall be liable to a fine not exceeding one thousand rupees, or to imprisonment of either description not exceeding two months, or both.

(3) If any purchaser, lessee or licensee under this Ordinance or under the Crown Lands Ordinance, 1902, shall satisfy the Land Officer that by reason of lands having been reserved or resumed by the Crown for outspans or of there being other suitable places for encamping, on or near the land of such purchaser lessee or licensee, it is not necessary that travellers should be permitted to encamp on his land, the Land Officer may exempt such purchaser lessee or licensee from all or any of the obligations imposed on a purchaser, lessee or licensee by this section or by section 14 (d) or section 29 of the Crown Lands Ordinance, 1902, as the case may be.

Provided that such exemption shall not have effect unless and until public notice thereof shall have been given, at the expense of the person exempted, in such manner as the Land Officer shall determine.

(3) COMPENSATION AND ARBITRATION.

Compensation and arbitration.

156. All claims for compensation in respect of any matter arising under this Ordinance or any Ordinance repealed by this Ordinance shall, unless the sum to be paid is agreed upon between the person claiming and the Land Officer, be referred to arbitration.

Procedure in arbitration.

157. Where it is provided or agreed that any matter arising under this Ordinance shall be referred to arbitration, then such reference shall be to two arbitrators

one to be appointed by the Land Officer and one by the other party to the arbitration and an umpire to be appointed by such arbitrators.

(1) If either party shall fail to appoint an arbitrator within twenty-one days after being requested in writing to do so by the other party, then the arbitrator appointed by the other party shall alone conduct the arbitration and his decision shall be final and binding on both parties.

(2) If the said arbitrators shall fail to agree upon the matter referred to them within sixty days of the same having been so referred, then the matter so referred shall be decided by an umpire to be appointed by the said arbitrators, or in the event of such arbitrators being unable to agree as to the umpire, to be appointed by a Judge of the High Court, whose decision shall be final and binding between the parties.

(3) Every such arbitration shall be carried on in the manner prescribed by the Arbitration Ordinance, 1913, and be subject to such last mentioned Ordinance in the same manner as if reference to such arbitration had been made by consent of parties under a written agreement.

(4) Every party shall pay his or its costs of such reference, and any costs incidental to the appointment of an umpire shall be paid equally by the parties to the arbitration.

(4) POWER TO MAKE RULES.

158. (1) Whenever in any section of this Ordinance the expression "prescribed" is used in connection with any matter referred to in the context the Governor-in-Council may in every such case make rules for the purpose of giving effects to the provisions of such section.

Power to
make rules.

19/10/15

The Governor-in-Council shall have power from time to time to make, alter or revoke rules for the purposes of this Ordinance;

i. For the examination of and for the issue of licences to surveyors.

ii. For imposing any reasonable charges for surveys or for computing the work of licensed surveyors, or for fees for any document or thing issued or done under the authority of this Ordinance or under any rule thereunder.

iii. Providing for the mode by which any land for allotment shall be surveyed and boundaries adjusted and marked and maintained.

iv. For prescribing the form of and the condition and mode of applying for land or for licences and leases to be issued under this Ordinance.

v. For providing for all proceedings, forms of leases, licences, and other instruments, and for the execution of all other matters and things arising under and not inconsistent with this Ordinance and not herein expressly provided for.

vi. For the care, management and protection in every manner of all unoccupied Crown lands.

vii. Prescribing the fees and charges which shall be levied in respect of any act, matter or thing to be done by a registrar or in the registry and generally for the better carrying out of the purposes of Part XI.

viii. For prescribing or regulating any matter or thing in relation to any sale, lease, licence or agreement under the Crown Lands Ordinance, 1902, or the East Africa Land Regulations, 1897, or anything done or to

be done under the said Ordinance or Regulations which might lawfully have been prescribed or regulated by rules under the said Ordinance or Regulations.

(2) Any rules under this Ordinance may provide for their enforcement by penalties not exceeding in any case seven hundred and fifty rupees.

(3) All rules under this Ordinance shall be signed by the Governor and upon being published in the "Gazette" shall, subject to disallowance by His Majesty, be valid in law, as if the same were enacted in this Ordinance, and shall be judicially noted; and all such rules shall be laid before the Legislative Council within fourteen days after the making thereof, if the Council be then sitting, and if the Council be not then sitting as soon as conveniently may be after the commencement of the next session of the Council.

FIRST SCHEDULE.

Nature and value of improvements to be effected and maintained on land leased for agricultural purposes:—

Area of farm.	Minimum value of improvements to be effected within first 3 years of the lease.	Nature of improvement.	Value of additional improvement to be effected within first five years of the lease.	Nature of additional improvements.
300 acres or under.	10 rupees per acre, subject to a minimum of 300 rupees.	Permanent.	5 rupees per acre, subject to a minimum of 150 rupees.	Permanent.
Over 300 acres.	Rs. 3000 and in addition Rs. 2 per acre in respect of every acre over 300 acres.	Permanent. Permanent <u>and</u> or Non-permanent.	Rs. 1500 and in addition Re. 1 per acre in respect of every acre over 300 acres.	Permanent Permanent. <u>and</u> or Non-permanent.

RULES.

1. For the purposes of this Schedule the term "Permanent Improvement" shall mean:—

- Farm buildings of all descriptions.
- Fencing.
- Water furrows.
- Planting trees or live hedges.
- Walls.
- Wells.
- Draining land or reclamation of swamps.
- Road making.
- Bridges.
- Clearing of land for agricultural purposes.
- Laying out and cultivating gardens and nurseries.
- Water boring.
- Water races.
- Sheep or cattle dips.
- Embankments or protective works of any kind.
- Planting of long lived crops.
- Water tanks.
- Irrigation works.
- Fixed machinery.
- Reservoirs.
- Dams of a permanent nature.

Provided that in estimating the value of improvements there shall be excluded the value of any dwelling house which is not occupied by the lessee or by some person employed by the lessee in connection with his operations on the land leased.

2. For the purposes of this Schedule the term " Non-permanent Improvement " shall mean :—

Live stock.

Agricultural implements and machinery, and all apparatus and plant used in farming operations on the land leased.

Dairy appliances.

Provided that :—

(1) The stock, implements, or other article or thing above mentioned is the property of the lessee.

(2) The lessee or his manager or agent shall, if so required by the Land Officer or a Land Ranger, make and sign a declaration that such stock, implement, or other article or thing is the property of the lessee.

SECOND SCHEDULE.

Schedule of minerals referred to in sub-section (3) of section 77 of this Ordinance :—

Clay, other than kaolin	Shale
Country rock	Shingle
Gravel	Slate
Lime	Surface soil
Sand	Surface salt

THIRD SCHEDULE.

Schedule of the minerals which may be used by purchasers, lessees and licensees subject to the provisions of sub-section (5) of section 77 of this Ordinance :—

Salt.

Carbonate of Soda.

Nitrate of Soda.

Sulphate of Ammonia.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 13 OF 1915.

An Ordinance to apply a Sum of Money for the Service of the year ending the 31st day of March, 1916.

[May 18th, 1915.]

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

1. The Public Revenue for the year 1915-16, and other funds of the East Africa Protectorate, are hereby charged towards the service of the year ending the thirty-first day of March, one thousand nine hundred and sixteen, with a sum of one million one hundred and eighty five thousand six hundred and forty seven pounds.

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

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

4. This Ordinance may be cited as the "Appropriation Ordinance," 1915.

Schedule.

DIVISION	AMOUNT.
1. Rent and Interest to H. H. the Sultan of Zanzibar ...	£ 17,000
2. Pensions ...	4,316
3. His Excellency the Governor ...	7,197
4. Secretariat ...	6,357
5. Official Gazette and Printing ...	5,127
6. Provincial Administration ...	131,199
6a. Provincial Administration—Special Expenditure ...	4,530
7. Treasury ...	9,878
8. Customs Department ...	16,656
9. Port and Marine Departments ...	5,221
9a. Port and Marine—Special Expenditure ...	640
10. Audit Department ...	4,112
11. Legal Departments ...	19,310
12. Police ...	55,065
13. Prisons ...	17,596
Carried forward ...	304,204

DIVISION,	AMOUNT.
	£
Brought forward ...	304,204
14. Medical Departments ...	51,797
15. Government Laboratories ...	3,028
16. Education ...	8,084
17. Transport ...	3,883
18. Military ...	77,796
18a. Military—Special Expenditure ...	1,765
19. Miscellaneous Services ...	9,140
20. Post Office and Telegraphs ...	51,202
20a. Post Office and Telegraphs—Special Expenditure ...	2,450
21. Railway Department ...	381,949
21a. Railway Department—Special Expenditure ...	7,000
21b. Busoga Railway ...	50,600
21c. Kampala Port Bell Railway ...	6,370
22. Agricultural Department ...	36,766
22a. Agricultural Department—Special Expenditure ...	1,500
23. Forest Department ...	11,675
24. Game Department ...	3,935
25. Immigration Department ...	382
26. Survey Department ...	31,520
27. Land Department ...	8,429
28. Public Works Department ...	31,753
29. Public Works Recurrent ...	37,747
30. Public Works Extraordinary ...	23,000
31. Abolition of Slavery ...	20
32. Coast Land Settlement ...	11,056
33. Loan Charges ...	28,596
34. Currency Department ...	—
Total ...	£ 1,185,647

EAST AFRICA PROTECTORATE.

For Order & Fees Vp 27.

AN ORDINANCE

No. 14 OF 1915.

An Ordinance for the control of Motor Traffic on Public Thoroughfares.

[May 18th, 1915.]

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

Short title and commencement.

1. This Ordinance may be cited as "The Motor Traffic Ordinance, 1915," and shall come into force on such date as the Governor by notification in the *Official Gazette* may determine.

Interpretation.

2. In this Ordinance, unless the context otherwise requires,

"Motor Car" includes motor cycle and every description of vehicle propelled by means of mechanism contained within itself, other than vehicles constructed for use on specially prepared ways such as railways or tramways.

"Motor Cycle" means a motor car designed to travel on not more than three wheels, and having a tare not exceeding three hundred weight;

"Carriage" includes every description of vehicle attached to and drawn by a motor car; provided that this definition shall not be deemed to include a side car attached to a motor cycle;

"Public thoroughfare" includes all public streets, roads, bridges and thoroughfares, and all places over which the public has a right of way for wheeled vehicles.

"Tare" means the actual weight of a motor car (inclusive of the body of such car), or of a carriage when unladen; and in calculating the tare the weight of any fuel, water, accumulators, compressed air, or whatever sources of energy are employed in its propulsion, shall not be included;

When the weight of a motor car or carriage is referred to, the expression means the gross weight, inclusive of its tare, its full complement of drivers, attendants, passengers and freight, and, in the case of a motor car, of full supplies of fuel and water, accumulators, compressed air, or whatever sources of energy are employed in its propulsion.

Penalty for use of a motor car or carriage without licence.

3. The owner ^{*user and driver*} of any motor car or of any carriage which is used upon any public thoroughfare on and after the first day of January, one thousand nine hundred and sixteen, without a licence, in that behalf issued under this Ordinance, shall be liable on conviction to a fine not exceeding Rupees 750/- *or in default to imprisonment*

of either description for a term not exceeding one month

Amended in 1922

*road rollers
No. 45/21*

Re-enacted No 45/21

Provided that no motor car or carriage in respect of which a licence issued in the Uganda Protectorate under the provisions of the Motor Traffic Ordinance, 1910, is in force shall be required to be licensed under this Ordinance.

4. Licences under this Ordinance shall be issued by such officer or officers (hereinafter referred to as the "Licensing Officer") as may be appointed for the purpose by the Governor.

Licensing Officers.

5. No licence shall, except with the consent in writing of the Governor, and subject to such conditions, if any, as the Governor may impose, be granted for any motor car or carriage, the weight whereof exceeds seven tons, or which does not comply with any of the requirements of Section 14 or of the Second Schedule hereto, or which has ribbed metal tyres.

Certain motor cars only to be licensed with consent of Governor.

6. (1) A Licensing Officer may refuse to issue a licence for the use of any motor car or carriage so constructed as, in his opinion, to be likely to be dangerous to persons or animals lawfully using the public thoroughfares, or injurious to the roadways or bridges.

Power to refuse licence in certain cases.

(2) A person to whom a licence has been refused may appeal to the Governor, who may either direct a licence to be granted to him, or may refuse the licence, or may withhold the same until such alteration of the motor car or carriage shall have been made as the Governor thinks proper.

Appeal to Governor.

(3) A Licensing Officer may at any time inspect a motor car licensed under this Ordinance and if such motor car is not maintained in a fit and proper condition may cancel the licence relating thereto.

Power of Inspection.

7. (1) Every licence issued under this Ordinance shall be in the form in the First Schedule hereto or such form as the Governor shall by notice prescribe, and shall contain the particulars by such form required, and shall be

Form of licence.

(2) Every licence shall be made in triplicate, one copy shall be kept by the licensee, one copy shall be kept by the Licensing Officer, and one copy shall be sent by the Licensing Officer to the Commissioner of Police.

fixed to an instrument on the vehicle in respect of which it is issued in such manner as may be prescribed by Rules made by the G. in C. provided that a licence issued for a vehicle without rubber tyres shall not be required to be so affixed

(3) Every person who shall transfer the ownership of any motor car or carriage licensed under this Ordinance shall immediately notify such transfer in writing to the Licensing Officer who issued the licence and such officer shall record the same and notify the Commissioner of Police of such transfer.

within the Colony and Prot of Kenya

(4) In the event

of any licensee losing his licence he shall apply to the Licensing Officer for the issue of a duplicate licence and a fee of F.1. shall be charged by the Licensing Officer for the issue of such duplicate licence

8. A licence may be issued for one year or half a year. Every half-yearly licence shall continue in force from the date of the granting thereof until the following thirtieth day of June or thirty-first day of December, whichever shall first ensue, and every yearly licence shall continue in force from the date of the granting thereof until the following thirty-first day of December.

Duration of licence.

9. The Governor in Council may by notice from time to time prescribe the fees payable in respect of any licence for a motor car or carriage or in respect of any other matter or thing for which under this Ordinance or any rule made thereunder fees may be payable.

Fees.

10. (1) Marks indicating the number of the licence and the place where the same is issued shall be fixed on every licensed motor car and carriage in such manner as may be prescribed by rules made under Section 22 of this Ordinance, or in the absence of such rules as may be directed by the Licensing Officer.

Identification marks.

(2) If such marks or any of them be not fixed to a motor car or carriage in the manner prescribed or directed, or if, being so fixed, then any of them are in any way obscured or rendered or allowed to become not easily

distinguishable, the person driving the motor car shall be liable on conviction to a penalty not exceeding Rupees 375/-.

(3) Whenever any such mark shall become in any way obscured or otherwise not easily distinguishable, and shall be returned to the Licensing Officer, or whenever it is proved to the satisfaction of the Licensing Officer that any such mark has been lost or destroyed, the person to whom the licence was issued may obtain from the Licensing Officer a new mark on payment of the prescribed fee.

(4) No marks other than those prescribed under the provisions of this Ordinance whether by Rule or otherwise shall be fixed to any motor car or carriage.

(5) A Licensing Officer may issue on payment of such annual fee as the Governor in Council may prescribe to any manufacturer of or dealer in motor cars a general identification mark which may be used for any car on trial after completion or on trial by an intending purchaser and the person so using the car shall not be liable to a penalty under this Ordinance if the mark so assigned is fixed in such manner as may be prescribed by Rules made under Section 22 of this Ordinance or in the absence of such Rules as may be prescribed by the Licensing Officer.

*Amended in 1910
to give effect to
the provisions of
the Motor Traffic Ordinance
of 1910*

Drivers to be certified as competent.

11. (1) A person shall not drive a motor car unless he shall hold a certificate of competency to drive such motor car or a motor car of similar type, to be issued by such officer or person as the Governor may appoint for the purpose (hereinafter referred to as the Certifying Officer) or issued to him in the Uganda Protectorate under the provisions of the Motor Traffic Ordinance, 1910; or unless he shall hold a driving certificate issued by the Royal Automobile Club, provided that, for the purpose of being taught to drive, an uncertificated person may drive a motor car upon any unfrequented road if accompanied by a person holding a certificate of competency to drive such motor car, and that in such case both the uncertificated person and the person holding a certificate shall be severally liable for any damage caused or offence under this Ordinance committed during the driving by such uncertificated person.

Form of certificate.

(2) A certificate of competency shall be in duplicate in the form in the Third Schedule hereto, or such form as the Governor shall by notice prescribe.

Requirements before grant of certificate.

(3) A certificate of competency shall not be granted to a person under the age of eighteen years, except that in the case of a motor bicycle a certificate may be granted to a person who has reached the age of sixteen years, nor to any person of materially defective vision or hearing, nor until the Certifying Officer shall have satisfied himself personally that the applicant has sufficient knowledge and experience in the driving of motor cars to enable him to keep his vehicle completely under control in heavy traffic, to bring it promptly to a standstill, and generally so to manage it that no danger or inconvenience to the public is to be apprehended from his use of it.

Fee.

(4) There shall be paid for a certificate of competency the prescribed fee.

Certifying officer not in public service may be awarded certain fees.

(5) If the Certifying Officer be not an officer in the public service, it shall be lawful for the Governor to direct that there be paid to such Certifying Officer such fees for each certificate of competency granted by him, as the Governor thinks proper.

(6) The person certified as competent shall in the presence of the Certifying Officer endorse the certificate and duplicate with his usual signature, or if he shall be illiterate, shall affix thereto his thumb mark, or finger prints, or such other mark of identity as the Certifying Officer shall require.

Indorsement
of certificate.

(7) The Certifying Officer shall forward the duplicate of every certificate of competency issued by him to the Commissioner of Police, by whom it shall be filed.

Duplicate to
be kept.

(8) Any licensing officer appointed under this Ordinance or any Magistrate or any European Police Officer or any other Police officer not below the rank of an Assistant Sub-Inspector may require any person driving a motor car to produce his certificate of competency for inspection.

Inspection of
certificate.

(9) Any person who shall drive a motor car upon any public thoroughfare without holding at the time a valid certificate of competency as required by this Ordinance except as provided in Sub-section (1) of this Section shall be liable on conviction to a fine not exceeding Rupees 750/- or to imprisonment of either description for a period not exceeding six months, or to both.

Penalty for
driving with-
out certifi-
cate.

12. (1) Any Court before whom a person is convicted of an offence under this Ordinance, or of any offence in connection with the driving of a motor car (other than a first or second offence consisting solely of exceeding any limit of speed fixed under this Ordinance) in addition to any other penalty:—

Suspension of
certificate and
disqualifica-
tion.

(a) If the person convicted holds a certificate of competency, may suspend the certificate for such time as the Court thinks fit, or cancel the same and declare the person convicted disqualified for obtaining another certificate either permanently, or for a stated period, and shall cause particulars of the conviction and of any order of the Court made under this Section to be endorsed upon the certificate, and shall also cause a copy of those particulars to be sent to the Commissioner of Police, who shall endorse them on the duplicate certificate in his custody;

(b) If the person convicted holds a certificate of competency issued in the Uganda Protectorate under the provisions of the Motor Traffic Ordinance, 1910, or a driving certificate issued by the Royal Automobile Club, may suspend the validity of the certificate in the East Africa Protectorate for such time as the Court thinks fit or cancel the validity of the same in the East Africa Protectorate and declare the person convicted disqualified for obtaining a certificate of competency in the East Africa Protectorate either permanently or for a stated period and shall cause particulars of the conviction and of any order of the Court made under this Section to be endorsed upon the certificate and shall also cause a copy of those particulars to be sent to the Commissioner of Police.

(c) If the person convicted does not hold a certificate of competency, may declare him disqualified for obtaining a certificate for such time as the Court thinks fit.

(2) Any person so convicted, if he holds a certificate of competency shall produce such certificate, within such reasonable time as the Court may direct, for the purpose of endorsement, and if he fails to do so shall be liable on conviction to a fine not exceeding Rupees 300/- or to imprisonment of either description for a period not exceeding three months.

(3) A certificate of competency suspended by the Court shall during the term of suspension be of no effect and a person whose certificate is suspended, or who is declared by the Court to be disqualified for obtaining a certificate, shall during the period of such suspension or disqualification be disqualified from obtaining a certificate.

(4) Any person who is by virtue of an order of the Court under this Section disqualified for obtaining a certificate of competency, may, within fourteen days of the making of such order, appeal as of right against the order to the High Court; and the Court by whom the order was made may, if it thinks fit, suspend the operation of the order pending the appeal.

(5) If any person who, under the provisions of this Ordinance is disqualified for obtaining such certificate, applies for or obtains a certificate of competency while he is so disqualified, or if any person whose certificate has been endorsed applies for and obtains another certificate without giving particulars of the endorsement, such person shall on conviction be liable to a fine not exceeding Rupees 750/-, or to imprisonment of either description for a period not exceeding six months, or to both.

13. Whoever fraudulently imitates, alters, or uses, or fraudulently lends or allows to be used by any other person any mark for identifying a motor car, or any licence or certificate under this Ordinance, shall be liable on conviction to a fine not exceeding Rupees 750/- or to imprisonment of either description for a period not exceeding six months, or to both.

14. No person shall cause or permit a motor car or carriage to be used on a public thoroughfare, or shall drive or have charge of a motor car when so used unless the following conditions are complied with, viz :—

(i) The motor car, if its tare exceeds five hundred weight, shall be capable of being so worked that it may travel either forwards or backwards.

(ii) The motor car shall have two independent brakes in good working order; and of such efficiency that the application of either to the motor car shall cause two of its wheels on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the car as if such wheels were so held; provided that in the case of a motor car having less than four wheels this condition shall apply as if, instead of two wheels on the same axle, one wheel was therein referred to;

(iii) When the tare of a motor car exceeds fifteen hundred weight, or that of a carriage exceeds two hundred weight and such motor car or carriage is fitted with tyres other than pneumatic tyres or tyres of a soft or elastic material, the tare of the motor car or carriage shall be painted upon some conspicuous part of the right or off side of the motor car or carriage in large legible letters, in white upon black, or black upon white, not less than one inch in height;

Fraudulent imitation &c. of identification mark, licence or certificate.

Special requirements as to motor cars and carriages.

As to forward and backward propulsion.

As to brakes on motor cars.

As to displaying tare.

(iv) Every carriage, the tare whereof exceeds two hundred weight, shall have a brake in good working order of such efficiency that its application to the carriage shall cause two of the wheels of the carriage on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect as if such wheels were so held.

As to brakes on carriages.

15. Every motor car used on any public thoroughfare shall be used in conformity with the following directions and not otherwise:—

Directions for management of motor cars on public thoroughfares.

(i) The Governor in Council shall have power to prescribe by notice speed limits either generally or for any particular locality or for any particular kind of motor car and no motor car shall travel at a greater speed than may be prescribed.

(ii) No motor car shall be driven so loaded as to exceed the maximum weight covered by the licence fee, when such fee is regulated by weight and not by tare.

(iii) Every motor car shall, in passing traffic coming in the opposite direction, be driven on the left or near side of the road, but when overtaking traffic proceeding in the same direction, the motor car shall pass such traffic on the right or off side thereof. An unladen motor car shall give way to a laden one, and when one motor car is being overtaken by another on a hard road the front car shall give way to allow the overtaking car to pass. In all cases a motor car shall be driven so as to give as much space as possible for the passing of other traffic.

(iv) The driver of a motor car shall, whenever about to turn a corner, and whenever necessary for the purpose of giving warning of his approach, sound from a reasonable distance a bell, horn, or other appliance approved by the Licensing Officer.

(v) The Licensing Officer may prohibit the use of any bell, horn or other appliance if in his opinion the use of such bell, horn or other appliance constitutes an annoyance to the public, and no person shall use a bell, horn or other appliance the use of which has been prohibited by the Licensing Officer.

(vi) The driver of a motor car shall, on the request of any member of the Police force, or of any person in charge of a horse, camel, mule or donkey, or on any such member of the Police force or person putting up his hand as a signal for that purpose, immediately bring such motor car to a standstill, and keep it stationary so long as may be reasonably necessary.

(vii) Every motor car and carriage shall between sunset and sunrise carry such lights as shall be clearly visible, and the Governor in Council may by rules prescribe the construction of the lamps, the number of the lights to be used, and the places on the motor car or carriage where they shall be exhibited.

(viii) Except in cases of emergency, of which the onus of proof shall lie on the driver, the cylinder and blow-off taps of a motor car shall not be opened within sight of any horse, camel, mule or donkey on any public thoroughfare, nor shall the pressure of steam be allowed to exceed the limit fixed by the safety valve, so that, except the exhaust from the cylinder when the motor car is in motion, no steam shall blow off whilst the motor car is on a public thoroughfare.

(ix) Every motor car and carriage when not in motion shall be drawn up close to the side of the road, so as to allow a clear roadway for passing traffic.

Rules h. 67/16

(x) The driver of a motor car shall carry a jack and block of wood sufficiently strong to move the motor car, and in the case of a breakdown shall lift off the public thoroughfare any portion of the car obstructing the passage of other traffic.

(xi) No motor car shall be driven so that it, or any carriage attached to it, shall meet or pass another motor car or carriage attached thereto on any bridge.

(xii) No haulage shall be allowed except on such roads as the Governor may by notice published in the *Gazette*, specify; and where haulage is allowed not more than one carriage shall be attached to any motor car, except with the permission of the Governor in writing.

(xiii) No carriage shall be attached to a motor car when used for the conveyance of passengers for gain or hire except with the permission of the Governor in writing.

(xiv) The driver of a motor car shall not cause such car to travel backwards for a greater distance or time than may be requisite for safety.

(xv) No person shall drive a motor car from such a position that such person has not full control of such motor car and has not a full view of the road.

(xvi) No person shall drive a motor car the exhaust of which is insufficiently silenced and no person shall use a "cut out."

(xvii) No driver of a motor car shall leave such motor car unattended without taking due precautions against it being put in motion during such driver's absence.

(xviii) Any person contravening any of the provisions of this section shall on conviction be liable to a fine not exceeding Rupees 300/-.

Penalty for driving to common danger.

16. (1) Any driver of a motor car who shall drive such motor car on a public thoroughfare recklessly or negligently or at a speed or in a manner which is dangerous to the public or to property having regard to all the circumstances of the case, including the amount and nature of the traffic on such thoroughfare or which might reasonably be expected to be on such thoroughfare, shall be liable on conviction to a fine not exceeding Rs. 1,000 or to imprisonment of either description for a period not exceeding six months or to both.

Penalty when drunk in charge of a motor car.

(2) Any person who shall be found drunk when in charge of a motor car shall be liable on conviction to a fine not exceeding Rs. 750 or to imprisonment of either description for a period not exceeding six months or to both.

Driving over bridges insufficient to carry weight prohibited.

17 (i) It shall not be lawful for the driver of any motor car to drive the same or to haul a carriage or carriages over any bridge on or near which a conspicuous notice has been placed by the Director of Public Works or his representative to the effect that such bridge is insufficient to carry traffic in excess of a specified weight, unless the weight of such motor car with any carriage attached thereto, is less than the weight so specified, or unless he has obtained the consent of the Director of Public Works or his representative to his so doing; provided always that it shall be lawful for the purpose of keeping within the specified weight to detach any carriage from any motor car, and to take over singly any motor car or carriage which does not exceed such specified weight.

(ii) Any person contravening the provisions of this section shall be liable on conviction to a fine not exceeding Rupees 300/-, or to imprisonment of either description for a period not exceeding three months. Penalty.

(iii) If any injury to a bridge be caused by any such contravention it shall be lawful for the Director of Public Works to make good such injury and to recover the cost thereof from the owner of the motor car; and a certificate under the hand of the Director of Public Works of the amount of the cost of making good such injury shall, without proof of signature, be conclusive evidence of the amount payable by such owner. Compensation for injury to bridge to be paid by owner of motor car.

18. (1) It shall be lawful for the Governor in Council by order, Power of regulating motor car traffic on public thoroughfares.

(i) To prohibit absolutely or on certain public thoroughfares the use of any particular description of motor car which in his opinion is likely to cause excessive wear and tear of the roadway, or to be dangerous or inconvenient to the public;

(ii) To prohibit the use of motor cars in any particular public thoroughfare or any part thereof; and

(iii) Generally to restrict or regulate the use of motor cars in such manner as circumstances may appear to him to require.

(2) Every order made or approved by the Governor in Council under this section shall be published in the Gazette, and a copy of every order prohibiting or restricting the use of any public thoroughfare or any portion thereof shall be kept conspicuously exhibited at the extremities of the public thoroughfare or portion thereof affected thereby.

(3) Every person who uses a motor car in contravention of any order made under this section shall be liable to a fine not exceeding Rupees 300/- or to imprisonment of either description for a period not exceeding three months.

19. Where any person is found using any motor car in contravention of any of the provisions of this Ordinance or of any rule made thereunder, it shall be lawful for any member of the Police force to take the motor car, and any carriage attached thereto, or cause the same to be taken, to any Police station or other place of safety, there to be detained until the motor car and its driver can be identified. Power of Police to detain motor car.

20. The Governor shall incur no liability in respect of any damage or loss that may accrue to any person through the failure of any public thoroughfare to sustain the weight of any motor car or carriage. Governor not liable for roads.

21. Nothing in this Ordinance shall affect the right of the Governor or of any person to recover compensation from the owner or driver of any motor car for any loss, damage, or injury, which may be sustained by the Governor or such person by the use of such motor car with or without licence. Preservation of rights.

22. The Governor in Council may make rules for :—

(a) Prescribing the number and duties of attendants to be in charge of any specified kind or description of motor car; Power of Governor to make Rules.

(b) Prescribing the size, shape and character of the identification marks to be fixed under this Ordinance and the mode in which they are to be fixed and to be rendered easily distinguishable by day or by night;

(c) The better carrying into effect any of the purposes of this Ordinance; and may affix to the breach of any such rule a penalty, on conviction, not exceeding Rupees 300/- and where no penalty is imposed by the Rules the breach, or attempted breach, or non-observance of any Rule shall be punishable to the extent aforesaid.

In case of accident driver of motor car to stop and if required give name and address.

23. The driver of a motor car shall in any case, if an accident occur to any person whether on foot, mounted or in a vehicle or to any horse, camel, mule or donkey or vehicle in charge of any person owing to the presence of the motor car on the public thoroughfare stop and if required give his name and address and also the name and address of the owner and the identification mark or number of the car.

Penalties.

24. Any person acting in contravention of any of the provisions of this Ordinance for the breach of which no penalty is otherwise expressly provided shall be liable to a penalty on conviction not exceeding Rupees 300/-.

Jurisdiction of Courts.

25. Offences under this Ordinance or under any Rules made under the provisions of this Ordinance shall be triable by Subordinate Courts of the First or Second Class.

THE FIRST SCHEDULE.

Form of Licence for Motor Car or Carriage (s.7).

No. _____

(1) Insert name of licensee

Licence is hereby granted to (1) _____

(2) Insert address of licensee

of (2) _____

(3) Cross out unnecessary words.

to use (3) for hire or trade purposes upon public thoroughfares subject to the provisions of "The Motor Traffic Ordinance 1915," the motor car hereunder described carriage

from this date until the _____ day of _____ 1915, inclusive.

Description of motor car or carriage.

(4) Insert here description of motor car or carriage.

(4) _____ tons. cwt.

Tare tons. cwt.
Maximum load

Restrictions (if any) as to use of locality :—

Fee paid Rupees. _____

Dated at _____ this _____ day of _____, 191 .

(Signature of Licensing Officer.)

THE SECOND SCHEDULE.

Maximum Dimensions of Motor Cars.

Length over all	...	...	...	20 feet.
Width	...	...	...	7 ,,
Height from the ground	...	...	...	12 ,,
Wheel base	...	...	...	14 ,,

Maximum Dimensions of Carriages.

Length over all	...	...	...	12 ,,
Width	...	...	...	7 ,,
Height from the ground, whether loaded or unloaded	...	...	...	12 ,,

Minimum Width of Tyres for Wheels of Motor Cars used for Haulage, not being Rubber Tyres.

WEIGHT OF ENGINE.	MINIMUM WIDTH OF TYRES.
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Leading Wheels:—

Not exceeding 3 tons	6 inches.
Exceeding 3 tons and not exceeding 5 tons	8	,,	
Exceeding 5 tons and not exceeding 8 tons	10	,,	
Exceeding 8 tons and not exceeding 11 tons	11	,,	
Exceeding 11 tons and not exceeding 14 tons	12	,,	
Exceeding 14 tons	...	...	13 ,,

Driving Wheels:—

Not exceeding 3 tons	...	...	8 ,,
Exceeding 3 tons and not exceeding 5 tons	10	,,	
Exceeding 5 tons and not exceeding 8 tons	13	,,	
Exceeding 8 tons and not exceeding 12 tons	17	,,	
Exceeding 12 tons	...	...	20 ,,

Minimum Width of Tyres for Wheels of other Motor Cars, not being Rubber Tyres.

The limit of weight per wheel per inch of width of tyres shall not exceed ten hundred weight; provided that where the tare of the motor car exceeds two tons each tyre shall be not less than five inches in width.

THE THIRD SCHEDULE.

Driver's Certificate of Competency (s.11).

I hereby certify that after personal examination I

(1) Insert name of certified driver.
(2) Insert "signature," "thumb-mark," or as case may be.

find that (1).....
whose (2)has been placed on the back hereof in my presence, is competent to drive on public thoroughfares a motor car of the description (or type or types) herein specified.

Description (or type or types) of motor car.

.....

Fee Paid Rupees.....

Dated at.....this.....day of
.....,191

(Signature of Certifying Officer.)

EAST AFRICA PROTECTORATE.

*Civ
Amended 4th part*

AN ORDINANCE

No. 15 OF 1915.

An Ordinance to provide for the Registration of Natives.

[May 18th, 1915.]

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 Native Registration Ordinance, 1915."

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

"Magistrate" means a Magistrate holding a Subordinate Court of the 1st, 2nd or 3rd Class.

abm "Native" means any male native of Africa apparently ~~about~~ the age of 16 years not being of European or Asiatic race or origin. For the purposes of this definition Somalis and Swahilis shall be deemed to be natives of Africa not of European or Asiatic race or origin.

"Certificate" means the certificate of registration and identification required by the provisions of this Ordinance to be taken out by or to be issued to any native resident in the Protectorate.

“ District ” means any area which may be defined by rules as a district for the purposes of this Ordinance. In the absence of any such rules, district means an administrative district of the Protectorate.

“ Registration Officer ” means any Magistrate or other officer appointed by the Governor to register natives and issue certificates.

3. Every native shall register himself at the office of a Registration Officer in the District in which he resides or with a Registration Officer in such District. Provided that when any native shall be registered in any district other than the District in which his tribal location is situated his certificate may on the return of such native to his tribal location be cancelled and a further certificate may be issued to such native by the Registration Officer of the District in which his tribal location is situated. In every case in which a certificate is cancelled under the provisions of this section the Registration Officer effecting such cancellation shall advise the Registration Officer of the District in which the cancelled certificate was issued and such Registration Officer shall record the fact of such cancellation in his register. Natives to be registered.

4. Every native who registers himself under the provisions of the preceding section shall be given a certificate in the prescribed form. Certificates to be given.

5. Every Registration Officer shall keep a register of all natives within his District and shall enter therein the following details:— Particulars in certificates.

- (1) The name, or names, of the native
- (2) His father's name.
- (3) His tribe, clan, chief, headman, district and location.
- (4) His height, build and marks, if any.
- (5) His finger print or prints.
- (6) The consecutive number given or assigned to the native in the register; such number shall be the native's official number.

6. The particulars contained in the preceding section shall also be set out in the prescribed form of certificate which shall be issued to the native free of charge. Registers to be kept.

7. If the native be in the employ of any person the certificate shall also state the name of his employer and the nature of the employment. Employer's name.

8. Every person who employs a native for a longer period than 24 hours shall demand from his certificate and shall keep a record of the number thereof and the district in which it was issued and shall endorse in ink on such certificate his own name, the date on which he employed the native, and the rate of wages paid to the native whereupon the certificate shall be returned to the native. The employer shall also correctly endorse in ink on the certificate the fact of the discharge of such native from his service and the date of such discharge. All such endorsements shall be in English. Duties of the Employer.

9. No person shall at any time make any entry or writing upon the certificate except as in this Ordinance provided. Entries on certificate.

Powers of
Registration
Officer with
regard to
incomplete
endorse-
ments.

10. If any native appear before a Registration Officer with a contract of service endorsed upon his certificate but with no discharge or an incomplete discharge from such service endorsed thereon or should it come to the knowledge of a Registration Officer that a native is in possession of a certificate incomplete in such particulars such Registration Officer may if satisfied from such information as is at his disposal that the endorsement of discharge has been omitted through ignorance and through no fault of such native himself endorse the discharge or complete the endorsement thereof on the certificate affixing such dates as may appear to him ~~more~~ consistent with the circumstances. Provided that no such endorsement shall be an absolute defence to a prosecution for desertion if it be proved that such offence has been committed by the native.

11. Any person who :

Offences by
native.

- (1) Shall be in unlawful possession of or shall make use of any certificate belonging to another native; or
 - Shall* (2) Falsely state that he has not previously been registered or shall make any other false statement or commit any act or omission with the object of deceiving a Registration Officer; or
 - Shall* (3) hand over his own certificate to any other native to be used by such other native; or
 - (4) shall be found in any district without a certificate issued in pursuance of the provisions of this Ordinance; or
 - (5) shall refuse or neglect to produce his certificate when required to do so by any police officer or other person lawfully entitled to demand the production of such certificate; or
 - (6) shall mutilate any certificate issued to him or shall add thereto or erase therefrom any material particular;
- shall upon conviction be liable to a fine not exceeding Rs. 150/- or to imprisonment of either description for a period not exceeding three months or to both.

Employer to
report deser-
tion or death.

12. Upon the desertion of any native from his employment or upon the death of a native in his employ- ment the person in whose employ he was at the time of such desertion or death shall as soon as possible report the fact of such desertion or death to the nearest Registration Officer and shall also in the case of death if possible forward to such officer the deceased's certificate and the Registration Officer receiving such report shall inform the Registration Officer of the District in which the native was originally registered.

Renewal of
lost mutilated
or destroyed
certificate.

13. (1) Any native who has lost his certificate or whose certificate has become mutilated or destroyed through his own neglect may obtain a new certificate from the nearest Registration Officer who may demand the payment of the sum of Rs. 2; Provided that should such native prove to the satisfaction of the Registration Officer that his certificate was lost mutilated or destroyed through no fault or neglect of his own the new certificate shall be issued and payment of 50 cents only may be demanded therefor.

Replacement
of certificate
after term of
imprisonment

(2) If a native has undergone punishment after conviction for being without a certificate or for having mutilated his certificate the Registration Officer shall issue to such native a new certificate free of charge.

(3) If the loss mutilation or destruction of a certificate was caused by an employer of the native or other person such employer or other person shall pay a fee of Rs. 2/- for a new certificate such fee shall be recoverable in a court of competent jurisdiction.

Employer or other person responsible for loss of certificate to pay cost of replacement.

14. Any person who:—

Offences in respect of certificates.

(1) shall withhold a certificate from any native entitled thereto; or

(2) shall unlawfully or improperly deprive any native of any certificate in his possession; or

(3) shall destroy, alter, imitate, mutilate, make a false entry or in any way improperly tamper with any certificate belonging to a native whether in his employ or not; or

(4) shall forge any certificate; or

(5) shall subject to Section 8 of this Ordinance knowingly engage or have in his employ any native who has not in his possession a certificate issued to him under the provisions of this Ordinance; or

(6) shall make any entry whatsoever on the certificate of a native with whom he has not entered into a contract of service;

shall upon conviction be liable to a fine not exceeding Rs. 750/- or to imprisonment of either description not exceeding six months or to both.

15. Any person contravening any provision of this Ordinance for which no special penalty is provided shall on conviction be liable to a fine not exceeding Rs. 300/- or to imprisonment of either description not exceeding three months or to both.

Penalties.

16. Any person who shall aid or abet any contravention of this Ordinance shall on conviction be liable to the penalties provided in the last preceding section.

Abetment.

17. Offences under the provisions of this Ordinance shall be cognisable to the Police.

Offences cognisable to Police.

18. Offences under the provisions of this Ordinance shall be triable in the Court of a Magistrate holding a Subordinate Court of the 1st, 2nd, or 3rd Class.

Jurisdiction of Courts.

19. A Magistrate, Police Officer, Registration Officer, Justice of the Peace and any other person duly authorised by the Governor may demand for inspection at any time the certificate of any native.

Inspection of certificates.

20. The Governor may appoint any Magistrate or other person to be a Registration Officer.

Power to appoint.

21. The Governor in Council may from time to time make, alter, and rescind rules for any of the purposes following:—

Power to make Rules.

(1) Prescribing the form of certificate to be issued under the provisions of this Ordinance.

(2) Prescribing the duties of Registration Officers if there be more than one Registration Officer in any district and generally;

(3) Prescribing the areas which shall be districts for the purposes of this Ordinance.

(4) Generally for carrying out the provisions of this Ordinance.

22. (1) This Ordinance shall come into operation on such date as the Governor by notice in the Gazette may determine.

Commencement of Ordinance.

(2) The Governor may by proclamation exclude any area or any tribe or part of a tribe from the operation of this Ordinance.

Notice of publication 1920 No. 250

(3) The Governor may by Proclamation on bringing this Ordinance into force suspend for a period to be named the penal clauses of this Ordinance.

Governor may suspend penal clauses.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 16 OF 1915.

An Ordinance to amend the Forest Ordinance, 1911, for the purposes of making Provision for the Enlistment and Conditions of Service of Forest Guards.

[May 18th, 1915.]

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 Forest Amendment Ordinance, 1915," and shall be read together with the Forest Ordinance, 1911, hereinafter referred to as the Principal Ordinance.
- Definition. 2. In this Ordinance :—
"Conservator" shall mean the Conservator of Forests or any person acting for him.
"Superior Forest Officer" shall mean a Forest Officer of or above the rank of Assistant Conservator of Forests.
- Application. 3. The provisions of this Ordinance shall extend to all persons who at the commencement of this Ordinance are enrolled or serving as Forest Guards in like manner as if such persons had been enrolled under this Ordinance.
- Terms of enlistment. 4. (1) It shall be lawful for the Conservator and such Forest Officers as he may appoint to enrol persons as Forest Guards.
(2) Every Forest Guard shall be enlisted for the first term of his engagement to serve for three years, or such less period as may from time to time be fixed by the Governor, the term to be reckoned from the day on which the Guard shall have been fully approved for service and taken on the strength of the Department.
- Power to re-engage. 5. Any Forest Guard of good character who at any time has completed, or who is within three months of completing the term of his engagement, may, with the approval of the Conservator, re-engage for any period or periods until he shall complete a total of twenty-one years' service reckoning from the time of his first enlistment.
- Leave on re-engagement. 6. Any Forest Guard who, being entitled to his discharge at the end of his period of service, re-engages for further service, may with the approval of the Conservator, be permitted to proceed on furlough for a period not exceeding one month for each year of service in respect of which no furlough shall have been granted and not exceeding in any case three months, and will receive during that period half pay at rate of salary drawn by him at the time of the furlough being granted.
- Declaration on enlistment. 7. Every man enlisting as aforesaid shall, previous to his being approved, make the following declaration by oath in his native language in such manner as he may declare to be most binding on his conscience :—

I, A. B., do most solemnly and sincerely declare and promise that I will obey all orders of the Governor for a period of three years and for such other period or periods as I may re-engage to serve and will subject myself to all Ordinances, Rules and Regulations relating to the Forest Department now in force, or which may from time to time be in force, within the said period or periods.

(Signature or mark of recruit)

Declared.....this.....day of191 . " Before me "

(Signature of Magistrate or Officer).

The declaration and oath shall be made before a Magistrate or superior Forest Officer and be signed or marked by the Forest Guard and shall be preserved as part of the enlistment papers of every Forest Guard.

8. Any Forest Guard whose period of service expires during a state of war, insurrection or hostilities, may be detained and his service prolonged for such further period, not exceeding twelve months, as the Governor may direct. Proclamation of service in case of war, etc.

9. Subject to the provisions of section 5 every Forest Guard who has completed his period or periods of engagements of service, according to the provisions of this Ordinance, shall be discharged by the Forest Officer in charge at the place at which such Forest Guard is stationed unless he is required to appear as a witness in connection with an enquiry into a case of an offence against the Principal Ordinance. Place of discharge.

10. On being discharged every Forest Guard shall receive a certificate of discharge. Certificate of discharge.

11. A Forest Guard may be discharged at any time by the Conservator Power to discharge.

(a) When declared by a Medical Officer to be unfit for service.

(b) When convicted for any criminal offence.

(c) For general incompetence.

(d) On reduction of establishment.

(e) on purchase of discharge at the following rates:—

Rs. 40 during the first year of service.

Rs. 30 during the second year of service.

Rs. 20 during the third or any subsequent year of service.

12. (1) Forest Guards shall be eligible for gratuities Gratuities. at the following rates in lieu of pension on discharge after continuous good service.

(a) FIRST GRADE.	Rs.
For a period of 12 years ...	... 70
For a period of 16 years ...	... 80
For a period of 21 years ...	... 95

(b) SECOND GRADE.

For a period of 12 years ...	...	50
For a period of 16 years ...	...	60
For a period of 21 years ...	...	75

(2) No increased rates of gratuity shall be paid in respect of any period of service in excess of a total service of twenty-one years; and no Forest Guard who has received a gratuity on discharge after twelve years or sixteen years service shall, in the event of his afterwards re-enlisting, receive in respect of his service after such re-enlistment any higher gratuity, than may, together with such first gratuity, be equal to the gratuity which he would have earned by continuous service for twenty-one years.

(3) When any Forest Guard is discharged as medically unfit for further service or on account of reduction of establishment, before completing such continuous service of twelve, sixteen or twenty-one years service as aforesaid, he may receive such proportion of the gratuity which he would have earned if he had completed the period of service he is then passing through as the Conservator may in his discretion determine and, in the event of the death of a Forest Guard, before receipt by him of such gratuity, it shall be lawful for the Governor to direct and cause the amount thereof to be paid to or for the benefit of the widow or widows, or child or children or to any next of kin of the Forest Guard so dying, on such conditions, and if to or for the benefit of more than one person, in such proportions as the Governor shall deem fit.

Service in King's African Rifles to count for gratuity.

13. In the event of a reservist of the King's African Rifles enlisting as a Forest Guard within three months of his discharge from the regiment the period of service with the colours shall count towards a gratuity; and any period which a Forest Guard being reservist may be called upon to serve on mobilisation shall also count towards a gratuity.

Service in Police to count for gratuity.

14. In the event of a Non-Commissioned Officer of the Police who has completed at least 9 years service in the force enlisting as a Forest Guard within six months of the date of his discharge such service shall be reckoned towards a gratuity.

Exemption from Hut Tax.

15. Every Forest Guard on the recommendation of the Conservator and with the sanction of the Governor, shall after nine years continuous good service be exempted from paying hut tax for one hut for life, or alternatively from paying poll tax in respect of himself for life.

Clothing etc. to be the property of the Government

16. All articles of clothing and other necessaries which shall have been supplied to any Forest Guard for the execution of his duty are the property of the Government and shall be returned by such Forest Guard on his discharge. Provided that when the full periods of wear have expired such Forest Guard may be permitted to hold any such articles of clothing in possession so long as he shall continue a Forest Guard, but no such articles of clothing shall be sold, exchanged, pledged, lent or given or otherwise transferred to any other person without the consent of the Conservator.

No pay while awaiting trial resulting in conviction.

17. No pay shall accrue to any Forest Guard in respect of any period during which he is detained awaiting any trial which results in his conviction for any criminal offence.

18. (1) All fines imposed under this Ordinance by a superior Forest Officer for offences under this Ordinance shall be recoverable by stoppages from the offender's pay due at the time of committing such offence or thereafter accruing due, and not from any other source or in any other manner. Collection of Fines.

(2) The amount of stoppages shall be in the discretion of the Officer authorised to impose fines, in no case exceeding one half of the monthly pay of the offender; and whenever more than one order of stoppage is enforced for any cause against the same person so much only of his pay shall be stopped as shall leave him a residue of at least one half of his monthly pay.

19. (1) All fines imposed under this Ordinance by a superior Forest Officer and all stoppages of pay shall be paid over to the Treasurer of the Protectorate, to be placed to the credit of a fund to be styled the "Forest Guards' Rewards and Fines Fund." Payment of fine collected.

(2) No payment shall be made from the "Forest Guards' Rewards and Fines Fund" except under the authority of the Governor.

(3) The Governor may, on the recommendation of the Conservator sanction payments from the "Forest Guards' Rewards and Fines Fund" for any of the following purposes, that is to say:—

(a) Replacing property in respect of which stoppages have been credited to the fund.

(b) Payments to Forest Guards as rewards for special service.

(c) Assistance to Forest Guards who may be discharged as medically unfit or to the wives and families of deceased Forest Guards who may be in immediate want.

(d) To provide additional rations or entertainment at times of National Rejoicing.

(4) Annual statement of receipts and expenditure shall be rendered by the Conservator of Forests to the Governor.

20. Provided that nothing in this Ordinance shall be construed to exempt any Forest Guard from being proceeded against for any offence by the ordinary course of law, any Forest Guard who:— Offences.

- (1) Absents himself without leave; or
- (2) Fails to report any Forest Offence; or
- (3) Aids or abets any one to commit a Forest Offence; or
- (4) Fails to report a forest fire; or
- (5) Fails to attempt to extinguish a forest fire; or
- (6) Fails to carry out orders; or
- (7) Is guilty of insubordination; or
- (8) Is intoxicated on duty; or
- (9) Is ignorant of the paths and tracks in the

Forest in his beat after six months service in that beat; or

(10) Loses his uniform or any Government property; or

(11) Accepts any gratuity; or

(12) Malingers or feigns illness;

shall be deemed to have committed an offence against discipline and such offence shall be enquired into, tried and determined, and the offender shall in every such case suffer such punishment, according to the degree and nature of the offence, as he may be awarded in accordance with the following provisions.

Power to fine.

21. Any Superior Forest Officer may examine the truth of any such charge as aforesaid and if his decision is against the accused he may impose on him the following punishment:

(1) Fine not exceeding one third of a month's pay to be levied by stoppages from the offender's pay.

(2) In every case of aggravated offence or where the accused has previously been convicted of a similar offence, fine not exceeding half a month's pay to be levied by stoppages from the offender's pay.

Interrogation of persons having forest produce in their possession.

22. Any person found within a forest area, or in its vicinity, and having in his possession any forest produce, who, on being thereunto required by any Forest Guard, refuses to give a satisfactory account of the manner in which he became possessed of any such produce, may be taken by such Forest Guard before a Magistrate; and if such person does not satisfy such Magistrate that he came lawfully by such produce, he shall, on conviction, be liable to a fine not exceeding seventy-five rupees and the produce shall be forfeited.

Powers of arrest.

23. Any Forest Guard may, without warrant, arrest any person reasonably suspected of having been concerned in any forest offence under the provisions of the Principal Ordinance, if the accused person refuses to give his name and residence or gives a name and residence which there is reason to believe is false or if there is reason to believe he will abscond.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 17 OF 1915.

An Ordinance to amend the Law Relating to Lunacy.

[May 18th, 1915.]

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 Lunacy Amendment Ordinance, 1915," and shall be read as one with the Indian Lunacy (District Courts) Act, 1858, as applied to the Protectorate, hereinafter referred to as the Principal Ordinance.

Power of Courts in case of a lunatic residing without the Protectorate.

2. To section 16 of the Principal Ordinance shall be added the following proviso:—

"Provided that the Court may in the case of the estate of a lunatic residing without the Protectorate on the application of the manager of any such estate make such order in regard to any such sum as it may deem fit whether any such sum has been paid into the public treasury on account of any such estate or not."

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 18 OF 1915.

An Ordinance to amend the British and Colonial Probates Ordinance, 1914.

[May 18th, 1915.]

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 British and Colonial Probates Amendment Ordinance, 1915," and shall be read as one with the British and Colonial Probates Ordinance, 1914, hereinafter referred to as the Principal Ordinance. Short Title.

2. In the definition of "Court of Probate" contained in section 9 of the Principal Ordinance the words "and in Scotland means the Sheriff's Court of the County of Edinburgh" are hereby repealed. ✓

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 19 OF 1915.

An Ordinance to amend the Mining Ordinance, 1912.

[May 18th, 1915.]

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 Mining Amendment Ordinance, 1915" and shall be read as one with the Mining Ordinance, 1912 hereinafter referred to as the Principal Ordinance. Short title.

2. The proviso to Section 73 XXVI of the Principal Ordinance is hereby repealed. Repeal.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 20 OF 1915.

An Ordinance to amend the Customs Tariff Ordinance, 1909.

[May 18th, 1915.]

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 Customs Tariff Amendment Ordinance, No. 2 of 1915," and shall be read as one with the Customs Tariff Ordinance, 1909, (hereinafter referred to as the Principal Ordinance) and all Ordinances amending the same.

Amendment of Table of Exemptions from Import Duty.

2. On and after the coming into operation of this Ordinance the Table of Exemptions from Import Duty set out in the Principal Ordinance shall be and is hereby amended by adding thereto the following:—

35. Electric cable or wire, the posts for carrying the same and all other material required for the purposes of generating, storing or distributing electric energy, whether for power or lighting, on satisfactory proof to the Chief of Customs that such articles and materials have been imported solely for such purposes.

Such exemption shall not include lamps or their fittings or material, other than industrial machinery, required for the purpose of using electric energy.

3. In Table III, section 18 of the Principal Ordinance the words:—"and apparatus and appliances used in connection with the generating and storing of electricity, but not including electric cable or wire or the posts for carrying the same and not including lamp posts or lamps or their fittings" are hereby repealed.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 21 OF 1915.

An Ordinance for the Improvement and Regulation of the Coconut Planting Industry.

[June 17th, 1915.]

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 Coconut Preservation Ordinance, 1915."

Definitions.

2. In this Ordinance unless the subject matter or context be repugnant thereto:—

"*Dead or dying tree*" means any coconut tree which in the opinion of an Inspector is ceasing or has ceased to bear produce.

"*Insect*" means the beetle known as the Rhinoceros Beetle (*oryctes rhinoceros*) and such other insect or parasite as the Governor may from time to time specify by notice in the Gazette.

"*Inspector*" means an officer appointed by the Governor for the purpose of carrying out the provisions of this Ordinance.

3. This Ordinance may be applied to such area or areas as the Governor shall by notice in the *Official Gazette* direct, and this Ordinance shall thereupon come into full force and effect within such area or areas. Application.

4. The owner or person in charge of every coconut tree which is dead or dying or is attacked by any insect shall forthwith uproot such tree and either consume it with fire or shall dispose of it in such other manner as the Governor may by rules prescribe or in the absence of such rules as an Inspector may direct. Provided that in the case of a coconut tree attacked by any insect the owner or person in charge may with the permission of an Inspector instead of uprooting such tree take such order therewith as the Governor may by rules prescribe or in the absence of such rules as an Inspector may direct. Destruction of dead trees.

5. Any person who neglects or refuses to perform the duty imposed upon him by the last preceding section shall be liable to a fine not exceeding Rs. 75/- for every tree in respect of which such neglect or refusal occurs and an Inspector or such other officer as the Governor may appoint in that behalf may cause to be performed the duty so neglected or refused to be performed and may recover the cost of such performance in a Court of competent jurisdiction. Penalty.

6. Any person who keeps on his premises dead or dying trees or stumps or coconut timber rubbish or coconut stems or accumulations of vegetable refuse, dung or other matter which would be likely to harbour or become breeding or refuge places for insects and neglects or refuses to remove or destroy the same within fourteen days when required by a notice in writing to do so by an Inspector or such other person as the Governor may appoint in that behalf he shall be liable to a fine not exceeding Rs. 150/- and the Inspector or such other person may cause such trees, stumps, timber, rubbish or accumulations to be removed or destroyed and may recover the cost of such removal or destruction from the defaulter in a Court of competent jurisdiction. Destruction of vegetable refuse penalty.

7. Every Inspector and all Officers of the Agricultural Department of the Government and any Magistrate shall for the purpose of inspection have access at all reasonable times into and upon any land whereon any coconut tree is growing and upon any land or premises where there is reason to suppose that a breach of the provisions of this Ordinance is being committed. Access to land.

8. A notice served under this Ordinance shall be deemed to be duly served if served upon the owner or person in charge of the plantation by delivery or by being Service of notices.

left at the last known place of address of any such person or if service cannot be effected by any of the aforesaid methods then by posting the notice on or near the land whereon is the tree, stump, timber, rubbish, stems or accumulation specified in such notice.

Prevention of fire.

9. An Inspector may serve or cause to be served a notice in writing upon the owner or person in charge of any land whereon are coconut trees to keep such land so free from under bush, underwood, grass and weeds as to preclude damage from fire or otherwise to such land and trees or any land or trees adjacent thereto.

Obstructing Inspectors and others.

10. (1) Any person who wilfully obstructs or interferes with an Inspector or any person lawfully authorised by this Ordinance in the execution of his duty, or

Penalties.

(2) knowingly or wilfully refuses or fails to comply with or contravenes any provision of this Ordinance or any notice or requisition or any provision of any rule made under this Ordinance shall be deemed guilty of an offence and shall upon conviction be liable to a fine not exceeding Rs. 750/- or to imprisonment of either description not exceeding six months or to both.

Compensation.

11. The Governor may from time to time make such compensation as he may think fit to the owner of any coconut tree who being in needy circumstances is required to destroy a coconut tree provided that such compensation shall not exceed Rs. 5/- per tree and that the compensation given in one year to any one person shall not exceed Rs. 100/-.

Protection of public officers

12. No action shall lie against the Government or against any officer or servant of the Government for any act done in good faith under the provisions of this Ordinance and no compensation shall be payable to any person for any act done under the provisions of this Ordinance otherwise than as in section 11 of this Ordinance provided.

Service on joint owner.

13. (1) Whenever a coconut tree is the property of more than one person a notice served on one of such persons shall be deemed sufficient notice to all such persons, and

(2) the whole of any sum payable under this Ordinance may be recovered from any one of such persons.

Provided that contribution may be made by the person from whom such sum was recovered on such other persons jointly owning the coconut tree.

Rules.

14. The Governor in Council may make Rules :—

(1) For regulating the importation into the Protectorate of seed coconuts and coconuts in husk or shell. Such power to make rules shall include a power to prohibit the importation of any seed coconuts or coconuts in husk or shell from any specified country or place, or generally;

(2) for regulating the procedure to be adopted with regard to coconut and other trees attacked by any insect;

(3) for the construction on coconut plantations and regulation of traps for insects.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 22 OF 1915.

An Ordinance to Regulate the Sale of Native Intoxicating Liquors.

[June 17th, 1915.]

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 Native Short title. Liquor Ordinance, 1915."

2. In this Ordinance "Native Intoxicating Liquor" Definition, means palm wine (tembo tamu and tembo kali), pombe, fermented asali and all other liquors prepared by natives containing alcohol.

3. The Governor in Council may from time to time by Proclamation apply this Ordinance to any area in the Protectorate and upon such application this Ordinance shall come into full force and effect within the limits of such area. Application of Ordinance.

4. (1) No person shall sell any native intoxicating liquor except he has first taken out a licence in that behalf from the District Commissioner. No such licence shall be issued to a female. Licences.

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

(3) There shall be payable in respect of any licence issued under this section such sum as the Governor in Council may from time to time proclaim.

(4) No licence holder shall employ any female on the licensed premises.

5. The District Commissioner may refuse to grant a licence in respect of any premises or to any person. The discretion of licensing Officer unlimited.

6. It shall be lawful for the Provincial Commissioner to limit the number of licences to be issued under section 4 of this Ordinance within his Province in any area to which this Ordinance has been applied or in any part of such area. Power to limit number of licences.

7. No person other than a person of African extraction or of Arabian extraction born in Africa shall hold a licence under this Ordinance. Only natives of Africa may be licensed to sell native liquors.

8. No native intoxicating liquor shall be sold on any licensed premises except between the hours of 10.0 a.m. and 9 p.m. Hours for sale of liquor.

- Liquor not to be supplied to young persons. 9. No native intoxicating liquor shall be sold to any person apparently under the age of sixteen.
- Prohibition of sale to intoxicated persons. 10. No licensed person shall supply any native intoxicating liquor to an intoxicated person or allow drunkenness upon his licensed premises.
- Licences to expire on 31st December. 11. Every licence granted under this Ordinance shall expire on the 31st day of December of the year in which it was issued.
- Licence not to be transferred without sanction. 12. 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. The District Commissioner may refuse such consent.
- Special licences. 13. 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.
- Penalty. 14. 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 not exceeding one thousand rupees or to both and to forfeiture of any licence under this Ordinance.
- Unsuitable premises. 15. If any premises licensed under this Ordinance for the sale of native intoxicating liquor shall become in the opinion of the District Commissioner unsuitable or shall fall into disrepair the District Commissioner may suspend the licence until such premises have been made conformable to the requirements of the District Commissioner or have been repaired to his satisfaction.
- Premises not to be used as a dwelling. 16. No premises licensed for the sale of native intoxicating liquor shall be used as a dwelling.
- Latrine accommodation. 17. Any premises licensed for the sale of native intoxicating liquor shall be provided with such latrine accommodation as the District Commissioner may direct, or if such premises are situated in a township or municipality as may be directed by the Medical Officer of Health, if any, otherwise by the District Commissioner.
- No vested interest created by licence. 18. No person holding or having held a licence to sell native intoxicating liquor shall be entitled to claim a renewal of such licence as of right or to claim any compensation in respect of such licence if such licence is not renewed.
- Drunk and disorderly persons. 19. (1) Any holder of a licence under this Ordinance shall refuse to admit to licensed premises any person who is drunk or disorderly and if therein shall order any such person to leave the licensed premises, and
(2) shall refuse to admit to licensed premises any person carrying a dangerous weapon.
- Powers of arrest. 20. A Police Officer may arrest any person who may be found in or near any premises licensed under this Ordinance drunk and incapable or drunk and disorderly.

21. Any Magistrate or Police Officer of or above the rank of an Assistant Sub-Inspector or any other person authorised by the Provincial Commissioner in that behalf shall have power to inspect any premises licensed under this Ordinance and to demand and inspect the licence. Refusal to produce a licence when demanded under this section shall be deemed to be an offence.

Powers of inspection.

22. 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 liquor and may take into custody all persons found therein, and such persons shall be deemed to have committed an offence under this Ordinance, 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 liquor found therein shall be forfeited.

Power to search unlicensed premises.

23. Any Police Officer 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.

Power to enter licensed premises.

24. No person licensed under this Ordinance shall sell or supply any native intoxicating liquor to be consumed elsewhere than in or upon the premises specified in such person's licence or for any valuable consideration of any description other than a cash payment in current coin.

Liquor to be consumed on the premises cash payments for liquor.

25. (1) No person shall tap trees for palm wine except he has first taken out a licence in that behalf from the District Commissioner.

Tembo tapping licences.

(2) Such licence shall authorise the holder to tap trees for palm wine in such area and within such hours as the District Commissioner shall approve and specify on the licence.

(3) There shall be payable in respect of any licence issued under this section such sum as the Governor in Council may from time to time proclaim.

(4) Any Magistrate or Police Officer of or above the rank of an Assistant Sub-Inspector shall have power to demand and inspect any licence issued under this section. Refusal to produce a licence when demanded by such Magistrate or Police Officer shall be deemed to be an offence. Such offence shall be cognisable to the Police.

26. (1) The owner of any tree tapped for palm wine shall pay for every tree tapped such yearly tax not exceeding Rs. 15/- as the Governor in Council may from time to time proclaim.

Tax on trees tapped for tembo.

(2) Any Magistrate or other Officer duly appointed by the Provincial Commissioner in that behalf may enter upon any land for the purpose of counting and examining the trees thereon for the purposes of this Ordinance.

27. Any person who is licensed under section 25 or who has paid a tax under section 26 (1) may without further licence sell palm wine to any person licensed under section 4 and not otherwise. Such sale shall be for payment in current coin, and not for any other valuable consideration whatsoever.

Sale of palm wine to licensed persons.

28. A person licensed to sell native intoxicating liquor under section 4 shall if the liquor sold be palm wine purchase such liquor from a person who holds a tembo tapping licence and every person licensed under section 4 to sell native intoxicating liquor shall keep a written record in English or Swahili of the persons from whom he has

Purchase of palm wine by licensee.

obtained palm wine. Such records shall be open to inspection by any Magistrate or Police Officer or any other person authorised by the Provincial Commissioner in that behalf, and any failure to produce such records on the demand of a person entitled to inspect them shall be deemed to be an offence.

Evidence. 29. In any proceeding relating to any offence under this Ordinance it shall not be necessary to show that any money actually passed or that any native intoxicating liquor was actually consumed if the Court hearing the case be satisfied that a transaction in the nature of a sale actually took place or that any consumption was about to take place and proof of consumption or intended consumption of native intoxicating liquor in licensed premises by some person other than the occupier or his servant in such premises shall be evidence that such liquor was sold to the person consuming or about to consume the same by or on behalf of the holder of such licence.

Penalties. 30. 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.

Saving. 31. This Ordinance shall not be deemed to limit the application of the provisions of the Native Authority Ordinance, 1912.

Repeals. 32. The East Africa Native Liquor Ordinance, 1907, and the East Africa Native Intoxicating Liquor Ordinance, 1908, are hereby repealed except as to offences committed against or proceedings commenced or pending under any of such repealed laws, and except as to subsisting licences which shall during the interval between the coming into operation of this Ordinance and the expiration of such licences respectively be deemed and judged of in respect of the sales and dealings which they shall be held to authorise and the liabilities which the holders thereof shall incur as if the said repealed laws still remained in force.

*Suspended
p e III part*

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 23 of 1915.

An Ordinance to Regulate the Trade in Coconuts, Copra and Other Products of the Coconut Tree.

[September 3rd, 1915.]

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 Coconut Trade Ordinance, 1915."

Definitions. 2. In this Ordinance unless the subject matter or context otherwise require:—

The expression "Owner" in the case of a plantation being owned in common by a number of persons of the same tribe or sub-tribe means the headman of such tribe or sub-tribe.

The expression "Plantation" means one or more growing coconut trees the property of the same owner and situated on the same plot of land.

3. (1) The owner or person in charge of any coconut plantation shall forthwith register such plantation at the office of or with the District Commissioner of the District in which such plantation is situated and such registration shall be renewed in the month of January in each year. Registration of Plantations

(2) When any new plantation is made the owner or person in charge thereof shall forthwith register such plantation and shall renew such registration annually as in this section provided.

4. Every owner or person in charge of a coconut plantation shall on registering such plantation and on each annual renewal of such registration state the number of coconut trees planted therein. Number of trees to be stated on registration.

5. There shall be payable in respect of every registration under this Ordinance and of every renewal thereof the following fees:— Fees for Registration.

(a) For every plantation containing less than twenty coconut trees Cts. 50.

(b) For every plantation containing twenty or more coconut trees Re. 1/-

Provided that a District Commissioner may in cases of poverty register free any plantation containing less than five coconut trees.

6. (1) The District Commissioner shall issue to every person registering a coconut plantation a certificate of registration containing the name of the owner or person in charge, the situation of the plantation and the number of coconut trees therein. Certificate of Registration.

(2) It shall be lawful for any Magistrate or Police Officer to demand the production of and inspect any certificate of registration issued under this section and any refusal to produce such certificate or allow inspection thereof shall be deemed to be a breach of this Ordinance.

7. No person shall buy, sell or otherwise deal in coconuts or copra or any other product of the coconut tree unless such person is licensed in that behalf by the District Commissioner of the District in which his business is situated. Provided that the owner or person in charge of a registered coconut plantation may sell coconuts or copra or any other product of a coconut tree other than palm wine (tembo tamu and tembo kali) without such licence and provided that a person may without such licence buy from a licensed dealer or registered plantation owner coconuts, copra or any other product of a coconut tree other than palm wine (tembo tamu and tembo kali) for his own use or consumption but not for sale or barter. Trading Licences.

8. The sum payable for a coconut dealer's licence shall be Rs. 5/- Fee for a trading licence.

9. Any owner or person in charge of a registered plantation or any person licensed under section 7 of this Ordinance who sells and delivers or otherwise parts with the possession of coconuts or copra shall give to the purchaser or person receiving such coconuts or copra a memorandum in writing of the transaction. Such memorandum shall contain the date, the name and address Memorandum of sale.

of the vendor or person parting with the possession of the coconuts or copra the number of coconuts or weight of copra delivered and the name and address of the purchaser or the person receiving such coconuts or copra.

(2) The vendor or person parting with the possession of coconuts or copra shall keep a counterfoil of the memorandum given to the purchaser or person receiving such coconuts or copra containing the aforesaid particulars.

(3) The memorandum shall be in such form as the Governor-in-Council may by rules from time to time prescribe.

(4) Forms of memoranda shall be obtained from the District Commissioner of the District in which the registered plantation is situated or in which the dealer resides.

Failure to produce memorandum.

10. Any person found in possession of coconuts or copra, who is unable to produce a memorandum issued under the preceding section purporting to deal with such coconuts or copra or to prove that he is the owner or person in charge of a registered plantation shall be deemed to have committed a breach of this Ordinance.

Inspection of memorandum forms and memoranda issued and counterfoils.

11. All forms issued by a District Commissioner under section 9 of this Ordinance and all memoranda issued by the owner or person in charge of a registered plantation or a licensed dealer and all counterfoils thereof shall be liable to inspection by any Magistrate or Police Officer or any other officer duly authorised in that behalf. Any person refusing to produce any such form, memorandum or counterfoil shall be deemed to have committed a breach of this Ordinance.

Offences cognisable to the Police.

12. All offences under this Ordinance or any rules thereunder shall be cognisable to the Police;

Penalties.

13. (1) Any person committing a breach of the provisions of this Ordinance or who if required to give any information to the District Commissioner by this Ordinance or any rule thereunder shall give false information or who shall commit a breach of the provisions of any rule published under this Ordinance shall on conviction be liable to a fine not exceeding Rs. 150/- or to imprisonment of either description for a term not exceeding three months or to both.

(2) If the person convicted is the holder of a licence issued under this Ordinance such licence may be revoked.

Date of application.

14. The Governor-in-Council may make Rules for the following objects :—

(1) to prescribe the form of licence to be issued under section 7 of this Ordinance and the particulars to be entered therein.

(2) to prescribe the places at which coconuts may be retailed.

(3) to prescribe the form of memorandum to be given under section 9 of this Ordinance.

(4) to prescribe that accounts of sales, purchases and other dealings in coconuts and copra shall be kept by the owner or person in charge of a plantation registered under this Ordinance or by a dealer licensed under this Ordinance.

Rules.

15. This Ordinance shall come into force on such date as the Governor may notify in the Gazette.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 24 OF 1915.

An Ordinance to amend the Trading with the Enemy Ordinance, 1915, to provide powers for the liquidation of firms the property of Enemy subjects. ✓

[September 3rd, 1915.]

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 Trading with the Enemy Amendment Ordinance, 1915," and shall be read as one with the Trading with the Enemy Ordinance, 1915, hereinafter referred to as the Principal Ordinance. Short title.

2. To Section 14 of the Principal Ordinance shall be added the following definition:— Definition.

(4) "Proclamation issued by the Governor" includes a Proclamation issued by His Majesty the King and published by the Governor in the Gazette.

3. (1) In Section 1 (2) (b) of the Principal Ordinance the words "in like manner as it applies to a person who so trades or has so traded" are hereby repealed. Repeals.

(2) In Section 1 (2) (c) of the Principal Ordinance the words "he shall be deemed to be guilty of such an offence" are hereby repealed.

4. In the second line of Section 4 of the Principal Ordinance for the word "to" shall be substituted the word "by". Amendment.

5. The Governor may order the liquidation of any business or firm carried on in the Protectorate the property of a subject of a State for the time being at War with His Majesty. Power to liquidate.

6. The Governor may by Rules prescribe the procedure to be adopted by a liquidator appointed under the preceding Section and the powers to be exercised by such liquidator and generally for the better carrying out the objects and purposes of the preceding Section. Rules.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 25 OF 1915.

✓ *An Ordinance to amend the Law of Evidence.*

[September 3rd, 1915.]

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

Short title.

This Ordinance may be cited as "The Evidence Ordinance, 1915" and shall be read as one with the Indian Evidence Act, 1872, as applied to the Protectorate, hereinafter referred to as the Principal Act.

Evidence of previous convictions admissible.

To Section 54 of the Principal Act shall be added the following proviso :—

" Provided that evidence of a previous conviction for any offence may be given in a criminal trial after the conviction of the accused for the purpose of affecting the sentence to be inflicted by the Court."

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 26 OF 1915.

⌋ *An Ordinance to amend the Courts (Emergency Powers) Ordinance, 1915.*

[September 3rd, 1915.]

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 Courts (Emergency Powers) Amendment Ordinance, 1915" and shall be read as one with the Courts (Emergency Powers) Ordinance, 1915, hereinafter referred to as the Principal Ordinance.

2. In Sub-section 3 of Section 2 of the Principal Ordinance, the word "inability" is hereby substituted for the word "liability" where it occurs in such Sub-section.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 27 OF 1915.

An Ordinance to amend the East Africa Registration Regulations, 1901.

[September 3rd, 1915.]

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 Registration Regulations Amendment Ordinance, 1915."

2. Anything in the East Africa Registration Regulations, 1901, to the contrary notwithstanding, the registration under the said Regulations of an agreement, lease or licence of land for one year only or for any term not exceeding one year shall not be compulsory.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 28 OF 1915.

An Ordinance to amend the Drugs and Poisons Ordinance, 1909.

[September 3rd, 1915.] ✓

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 Drugs and Poisons Amendment Ordinance, 1915," and shall be read as one with the Drugs and Poisons Ordinance, 1909, hereinafter referred to as the Principal Ordinance. Short title.

2. The proviso to section 16 of the Principal Ordinance is hereby repealed and the following proviso is hereby substituted therefor:— Regulations to be observed in the sale of Poisons.

Provided always that paragraphs (a) and (b) of this section shall apply only to poisons mentioned or described in the first part of Schedule "A" and that nothing in paragraphs (a) and (b) shall apply to any medicine supplied by a duly qualified medical practitioner to his patients or to any medicine supplied by a druggist in pursuance of a written prescription of any duly qualified medical practitioner if at the time of selling or dispensing the same the druggist enters in a book to be kept for the purpose the prescription, the name of the duly

qualified medical practitioner who has signed the prescription and the person to whom and the date at which the poison shall have been so sold dispensed or delivered. And provided that nothing in paragraph (c) of this section shall apply to any medicine supplied for internal use by a duly qualified medical practitioner to his patients or to any medicine supplied for internal use by a druggist in pursuance of a written prescription of any duly qualified medical practitioner if at the time of selling or dispensing the same the druggist enters in a book to be kept for the purpose the prescription, the name of the duly qualified medical practitioner who has signed the prescription and the person to whom and the date at which the poison shall have been so sold dispensed or delivered.

Companies trading as druggist.

3. It shall be lawful for a company to carry on the business of a druggist under the following conditions and not otherwise:—

- (a) Such company shall be a company registered in the Protectorate under the provisions of the Indian Companies Act, 1882, as applied to the Protectorate or under any law substituted therefor.
- (b) The Managing Director of such company shall be duly registered and licensed as a druggist in accordance with the provisions of the Principal Ordinance.
- (c) The person or persons managing the shop or premises in which such business is conducted shall each be duly registered and licensed as a druggist in accordance with the provisions of the Principal Ordinance.
- (d) The name or names of the person or persons managing such shop or premises shall be conspicuously posted in such shop or premises.

Provided that anything which would be an offence under the Principal Ordinance if committed by an individual shall be an offence by every director of a company if committed by such company.

Power to carry on business of a deceased druggist.

4. (1) The business of a duly registered and licensed druggist actually in business at the time of his death may be carried on by an executor appointed by the deceased or by the administrator or trustee of the deceased's estate provided that such business is managed by a duly registered and licensed druggist and that the whole property in such business remains in the executor, administrator or trustee as the case may be.
- (2) The name of the person managing the business shall be conspicuously posted in the shop or premises in which such business is conducted.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 29 OF 1915.

An Ordinance to provide for the Recruitment of Native Followers for the Military Forces now operating in the Protectorate.

Repealed by No 2 of 1919

[September 4th, 1915.]

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 Native Followers Recruitment Ordinance, 1915."

Short title.

2. For the purposes of this Ordinance:—

Definition.

"Headman" means the chief or other native or Council of Elders appointed under the provisions of the Native Authority Ordinance, 1912, to be an Official Headman or to be Collective Headmen as the case may be.

"East Africa Transport Corps" shall include all native carriers and other followers in the employ of the Military Forces of the Crown.

Added to Military Labour Corps - see Order No 21 of 1914. b. 1010. O.G. 1914.

"District Commissioner" shall include an Assistant District Commissioner.

3. A District Commissioner may instruct any Liwali, Assistant Liwali, Mudir or Headman in his District to recruit in the area to which such Liwali, Assistant Liwali, Mudir or Headman has been appointed such number of natives as the District Commissioner may deem fit having regard to all the circumstances to serve in the East Africa Transport Corps.

Powers of District Commissioner.

4. On the receipt of instructions as in the preceding Section provided any Liwali, Assistant Liwali, Mudir or Headman may direct that any able-bodied adult male native apparently below the age of 35 residing in the area of which he is Liwali, Assistant Liwali, Mudir or Headman shall serve as a native carrier or other follower in the East Africa Transport Corps.

Powers of Headmen.

or as a Soldier under the provisions of the Compulsory Service Ord. 1915 - see h(c) post.

5. The terms of service and pay of a native carrier or other follower in the East Africa Transport Corps, shall be such as the Governor may by Rules prescribe.

Terms of service and pay.

6. In any area to which no Official Headman has or Collective Headmen have been appointed it shall be lawful for the District Commissioner of the District to exercise the powers of a Headman prescribed by Section 4 of this Ordinance.

Powers of District Commissioner where no Headman.

7. (1) Any person who, having been directed under the Provisions of Sections 4 or 6 of this Ordinance to serve in the East Africa Transport Corps, fails to obey such direction, shall be deemed guilty of an offence and shall be liable on conviction to imprisonment of either description not exceeding two months or to a fine not exceeding Rupees 75/- or to both.

Penalty

or as a Soldier under the provisions of the Compulsory Service Ord. 1915

(2) (i) Any Headman who refuses or neglects to obey any instructions given to him by a District Commissioner under the provisions of Section 3 of this Ordinance shall be deemed guilty of an offence and shall be liable on conviction to imprisonment of either description not exceeding six months or to a fine not exceeding Rs. 300/- or to both.

(ii) All or any of the members of a Native Council appointed to be the Collective Headmen of any area may be proceeded against either jointly or separately for any act or default punishable under this Sub-section and on proof of the facts constituting an offence by such Council each such member shall individually be liable to the penalties prescribed unless he shall satisfy the Magistrate that he was in no way responsible for or a party to such act or default.

Operation of Ordinance.

8. This Ordinance shall remain in operation during the course of the present War.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 30 of 1915.

Repealed by No. 2 of 1919.

An Ordinance to make Provision for the Registration of Adult Persons within the Protectorate.

[September 14th, 1915.]

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 Registration of Persons Ordinance, 1915."

Definitions.

2. In this Ordinance the expression "Race" means persons of European, Asiatic or African origin as the case may be and

the expression "Colonial Forces" means and includes any Force raised in any Colony or Protectorate or in Rhodesia and on active service within the Protectorate.

Application of Ordinance

3. The Governor may by Proclamation apply the provisions of this Ordinance to any area and to any race in such area.

Acted post p. 101

Registration of persons between the ages of 15 and 65.

4. A register shall be formed of all persons male and female between the ages of 15 and 65 (not being members of any of His Majesty's Naval Forces or of His Majesty's Regular or Colonial Forces) subject to the exceptions in this Ordinance provided.

5. The Chief Secretary to the Government shall be the Central Registration Authority and the District Commissioners in their respective districts shall be the local Registration Authorities and each such district shall be a separate Registration District.

Registration Authorities and Districts.

6. It shall be the duty of the local Registration Authority in accordance with such rules as the Governor-in-Council may issue to compile and maintain the Register so far as it relates to his District to tabulate the contents thereof and to make them available for such purposes as may be prescribed and to furnish to the Central Registration Authority such returns therefrom as may be required.

Duty to compile register.

7. (1) It shall be the duty of every person between the ages of 15 and 65 to fill up and sign a form containing such particulars and within such time as the Governor-in-Council may prescribe.

Duty to fill up and return forms.

(2) The Central Registration Authority shall cause such forms to be prepared and issued to the Local Registration Authorities and every Local Registration Authority shall in accordance with instructions from the Central Registration Authority cause the forms to be distributed so as to secure that as far as possible a sufficient number of forms shall be delivered at every dwelling house within his Registration District and shall also maintain a supply of such forms at every civil administrative and Police Station in his Registration District.

(3) It shall be the duty of every person liable to registration to send within the prescribed time the prescribed form duly filled up and signed to the Local Registration Authority.

8. The Local Registration Authority shall cause the forms when filled up and signed to be examined and such of them as appear to be incomplete or incorrect to be completed or corrected and may take such steps as appear to him necessary to enable such completion or correction to be effected and where it appears to the Local Registration Authority that no form has been returned or that the form returned cannot be completed or corrected without the personal attendance of the person concerned he may require his attendance at such place and at such time as he may appoint and it shall be the duty of every person whose attendance is so required to attend and to answer such questions as may be addressed to him for the purpose of enabling the forms to be filled up completed or corrected.

Completion and correction of forms.

9. After the return by a person of a form filled up and signed and where necessary completed and corrected in accordance with this Ordinance there shall be supplied to him a Certificate of Registration which shall be signed and preserved by him.

Certificates of Registration.

10. (1) If any person registered under this Ordinance changes his place of residence he shall unless such change is merely temporary within 28 days thereafter send or deliver to the Local Registration Authority of the district in which the new place of residence is situate by post or otherwise his Certificate of Registration with the new place of residence noted thereon and there shall be supplied to him a fresh Certificate of Registration and if his new place of residence is in a different District from that in which his previous place of residence is situate the Local Registration Authority receiving the Certificate of Registration shall communicate the change to the Local Registration Authority of the last mentioned District and such change shall be noted in the Register.

Notification of change of address, etc.

(2) Within 28 days after the arrival in the Protectorate of any person between the ages of 15 and 65 he shall if not previously registered under this Ordinance send or deliver to the Local Registration Authority by post or otherwise notice of his arrival together with the prescribed particulars concerning himself required under the provisions of this Ordinance to be registered and shall if so required attend at such time and place as the Local Registration Authority may appoint and shall answer such questions as may be addressed to him for the purpose of enabling the necessary particulars to be registered and thereupon shall be supplied with a Certificate of Registration.

Matter to be prescribed by Rule.

11. The Governor-in-Council may from time to time make Rules:—

(1) prescribing the manner in which the Register is to be compiled and maintained and the nature of the forms to be issued,

(2) prescribing the duties of Registration Authorities and persons employed by them under this Ordinance,

(3) prescribing anything authorised by this Ordinance to be prescribed and

(4) generally for carrying out the purposes of this Ordinance.

Expenses.

12. The expenses of the Chief Secretary to the Government in carrying this Ordinance into operation to such amount as the Governor may sanction shall be defrayed out of the Public Revenue and other Funds of the Protectorate.

Duty of employers to furnish information.

13. For the purposes of facilitating the compilation and maintenance of the Register it shall be the duty of any employer of labour (including Heads of Government Departments) to supply to any Registration Authority such information and render such assistance as may be prescribed in respect of such persons in his employment as are required to be registered under this Ordinance.

Registration in one area only.

14. No person shall be registered in more than one Registration District and if any person is liable to be registered in two or more Registration Districts he shall have liberty to choose in which District he shall be registered.

Exceptions.

15. The duty of registering under this Ordinance shall not except to such extent as may be prescribed apply to any prisoner in a prison certified lunatic or inmate of any hospital or other prescribed institution nor to a prisoner of war or a person who is interned.

Penalties for offences.

16. (1) If any person employed under this Ordinance makes wilful default in the performance of any of his duties under this Ordinance he shall for each offence be liable on conviction to a fine not exceeding Rs. 75.

(2) If any person employed in collecting correcting or completing forms or otherwise acting in the compilation or maintenance of the Register or the tabulation of the contents thereof or any person using the Register communicates without lawful authority any information acquired in the course of his employment or from such use he shall on conviction be liable to imprisonment of either description for a term not exceeding three months or to a fine not exceeding Rs. 300 or to both imprisonment and fine.

(3) If any person over 18 years of age required to register himself under this Ordinance :—

(a) refuses or without lawful excuse neglects to fill up or cause to be filled up a form to the best of his knowledge and belief or to sign it as by this Ordinance required; or

(b) refuses or without lawful excuse neglects to attend at any place or time at which his attendance is required under this Ordinance; or

(c) wilfully makes or signs or causes to be made or signed any false return of any matter specified in the form; or

(d) refuses to answer or wilfully gives a false answer to any question necessary for obtaining the information required to be obtained under this Ordinance; or

(e) refuses or without lawful excuse neglects to perform any other duty imposed on him by or under this Ordinance he shall for each offence be liable on conviction to a fine not exceeding Rs. 150 and in the case of a continuing offence to a further fine of Rs. 30 for each day during which the offence continues.

(4) If any person falsely represents himself to be a person to whom a Certificate of Registration has been issued under this Ordinance he shall on conviction be liable to imprisonment of either description for a term not exceeding three months or to a fine not exceeding Rs. 300 or to both imprisonment and fine.

17. Offences committed in contravention of the provisions of this Ordinance may be tried by a Magistrate holding a Subordinate Court of the first or second class. Jurisdiction of Courts.

18. This Ordinance shall continue in force during the continuance of the present war without prejudice however to the taking or prosecution of proceedings for any offence committed before the expiration of this Ordinance. Duration of the Ordinance.

EAST AFRICA PROTECTORATE.

*Repealed by
No 2 of 1919.*

AN ORDINANCE

*see also Compulsory Service
Amendment Ord. 1917 (No. 5)
7 (1917.)*

No. 31 OF 1915.

An Ordinance to Provide for Compulsory Military and other Service.

[December 7th, 1915.]

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 Compulsory Service Ordinance, 1915." Short Title

2. The Governor may sanction the formation of such military corps in the Protectorate as he may think fit. Formation of Corps.

3. Every male person between the ages of 18 and 45 shall be liable to be called upon to serve in any military corps the formation of which has been sanctioned by the Governor under the preceding section. Liability for military service.

4. (1) The Governor may appoint a War Council of which the Chief Secretary to the Government or such other officer as the Governor may appoint shall be President. Such Council shall consist of as many members as the Governor may direct. War Council and District Committees.

(c)

(2) The Governor may appoint in each District a District Committee of which the District Commissioner shall be Chairman. Such Committee shall consist of as many members as the Governor in each case may direct.

(3) The Governor may at any time dispense with the services of any member of the War Council or any member of a District Committee.

Duties of War Council

5. (1) The War Council shall when required by the Governor to provide such number of males of European or Asiatic origin as the Governor may direct inform the Governor from which District or Districts such men may be provided and shall forthwith select for military service such males as it may think fit.

(2) The War Council shall in selecting males in accordance with Sub-section (1) of this Section have due regard to the necessities of civil life and to the circumstances of each case.

(3) The males selected by the War Council shall be served with a notice by the District Commissioner in the prescribed form and shall proceed to such destination and on such date as the District Commissioner may in the notice direct and shall be enrolled in such corps the formation of which has been sanctioned under Section 2 of this Ordinance as the General Officer Commanding may determine.

Duties of District Committees.

6. Each District Committee shall keep the War Council informed of the economic conditions prevailing in its District and the names of such males as in its opinion may be released for military service, having due regard to the necessities of civil life and the circumstances of each case.

Native Corps.

7. Natives may at the direction of the Governor be selected for military service under the procedure provided by the Native Followers Recruitment Ordinance, 1915, and such Ordinance shall be read as if after the words " East Africa Transport Corps " wherever they occur in Sections 3, 4 and 7 (1) were added the words " or as a soldier under the provisions of the Compulsory Service Ordinance, 1915."

Rates of pay and term of Service.

8. The Governor-in-Council may prescribe the rates of pay and terms of service for any male selected for military service under this Ordinance.

Provisions regarding persons serving in volunteer corps.

9. Every person serving at the date on which this Ordinance comes into operation in any mobilized or embodied volunteer corps or unit the formation of which has been sanctioned by the Governor during the present war shall be deemed to have been selected for military service and enrolled under this Ordinance and such corps or unit shall be deemed to be a corps the formation of which has been sanctioned under Section 2 of this Ordinance.

Discipline.

10. With respect to the discipline of officers, non-commissioned officers and soldiers of any corps formed or deemed to be formed under the provisions of this Ordinance :—

(a) the provisions of the Army Act 44 and 45 Victoria, Chapter 58, and all Acts amending or substituted for the same as far as applicable shall apply with the necessary modifications to all persons of European origin;

(b) the provisions of the Indian Army Act No. VIII of 1911 and all Acts amending or substituted for the same as far as applicable shall apply with the necessary modifications to all persons of Asiatic origin;

(c) the provisions of the King's African Rifles Ordinance, 1912, shall apply with the necessary modifications to all persons of African origin.

11. The Governor may at any time disband any corps formed or deemed to be formed under the provisions of this Ordinance. Power to disband.

12. Every person enrolled in a corps formed under this Ordinance shall take an oath of allegiance to His Majesty the King in the form set forth in the schedule hereto. Provided that the fact that any person so enrolled has not taken such oath of allegiance shall not exempt such person from the provisions of this Ordinance or any Act or Ordinance which would otherwise be applicable to such person under the provisions of Section 10 of this Ordinance. Oath.

13. Nothing in this Ordinance contained shall be deemed to restrict the power of the Governor to sanction the formation of any corps or unit for local defence under the provisions of the Volunteer Ordinance, 1915. Provided that members of such volunteer corps or unit until mobilized or embodied for active service shall be liable to be selected for military service under this Ordinance. Saving.

14. (1) No person who has undertaken to perform work or supervision for or on behalf of any person serving in any military corps formed in the Protectorate shall enlist or accept service in any military corps whether formed under the provisions of this Ordinance or not or abandon such work or supervision on which he is for the time being employed without the sanction of the District Committee. Such sanction may be given on such terms as the District Committee may think fit. Provided that if such sanction is refused the person applying for such sanction may appeal to the War Council whose decision shall be final and binding. And provided that any person who is employed by any other person may leave such employment with his employer's consent without application to the District Committee. Civil services.

Repeated - see No 5 of (1917)

(2) A District Committee may give to any person who is refused sanction to enlist or accept service in any military corps on the ground that his services are necessary for the maintenance of civil industry a certificate in the prescribed form.

15. Nothing in this Ordinance contained shall apply to a subject of a Foreign Power or to a person who is a native of a Protectorate of a Foreign Power. Saving for Foreign Subjects.

16. The Governor-in-Council may from time to time make rules:— Rules

(1) prescribing anything authorised by this Ordinance to be prescribed;

(2) prescribing the procedure to be adopted by District Committees appointed under this Ordinance and

(3) generally for carrying out the purposes of this Ordinance.

17. Any person committing a breach of the provisions of this Ordinance or of any instruction or direction lawfully given under this Ordinance shall on conviction be liable to imprisonment of either description for a term not exceeding three years or to fine or to both. Offences.

(cii)

Duration of
Ordinance.

18. This Ordinance shall remain in operation during
the continuance of the present War.

SCHEDULE.

I,.....do swear
that I will be faithful and bear true allegiance to His
Majesty King George the Fifth his heirs and successors
according to law.

So HELP ME GOD.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 32 OF 1915.

*An Ordinance to amend the Law Relating to Diseases
of Animals.*

[December 18th, 1915.]

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 Diseases of
Animals Amendment Ordinance, 1915,” and shall be read
as one with the Diseases of Animals Ordinance, 1906,
hereafter referred to as the Principal Ordinance, and all
other Ordinances amending such Ordinance.

Power to
remove
disease from
the definition
of disease. 2. The Governor may by Proclamation remove from
the definition of “ disease ” contained in Section 2 (4) of
the Principal Ordinance the name of any disease contained
therein or the name of any disease declared by Proclama-
tion promulgated under the Diseases of Animals
Amendment Ordinance, 1906, to be included in such
definition.

Power to
slaughter. 3. To Section 8 of the Principal Ordinance shall be
added the following sub-section:—

(2) The Chief Veterinary Officer may cause to be
slaughtered any animal which is affected with
trypanosomiasis.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 33 OF 1915.

An Ordinance to Keep Alive the Provisions of the East Africa Native Liquor Ordinance, 1907, as Amended by the East Africa Native Intoxicating Liquor Ordinance, 1908.

[December 18th, 1915.]

WHEREAS it is inexpedient owing to the present War to apply the Native Liquor Ordinance, 1915, to any area in the Protectorate AND WHEREAS it is desirable that the native liquor traffic be regulated as heretofore.

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 Native Liquor Amendment Ordinance, 1915," and shall be read as one with the Native Liquor Ordinance, 1915, hereafter referred to as the Principal Ordinance. Short Title?

2. The operation of Section 32 of the Principal Ordinance shall be suspended and the East Africa Native Liquor Ordinance, 1907, as amended by the East Africa Native Intoxicating Liquor Ordinance, 1908 shall be deemed to be revived and to have full force and effect until the application of the Native Liquor Ordinance, 1915, to any area in the Protectorate. Upon such application the said Section 32 of the Principal Ordinance shall come into operation and the East Africa Native Liquor Ordinance, 1907, and the East Africa Native Intoxicating Liquor Ordinance, 1908, shall thereupon be repealed in accordance with the provisions of the said Section 32 of the Principal Ordinance. Saving

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 34 OF 1915.

An Ordinance to amend the Customs Tariff Ordinance, 1909.

[December 18th, 1915.]

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 Customs Tariff Amendment (No. 3) Ordinance of 1915," and shall be read as one with the Customs Tariff Ordinance, 1909, hereafter referred to as the Principal Ordinance, and all Ordinances amending the same. Short title.

(civ)

Export Duty
on Rubber.

2. On and after the coming into operation of this Ordinance the Table of Export Duties set out in the Principal Ordinance as amended by the Customs Tariff Amendment (No. 2) Ordinance of 1912, Section 2 shall be and is hereby amended as follows:—

- (a) By the repeal of Section 2 of the Customs Tariff Amendment (No. 2) Ordinance, 1912.
- (b) By the substitution for the amendment of Table II of the Principal Ordinance contained in such repealed Section the following:—

3. Rubber, other than plantation rubber ... 4%

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 35 OF 1915.

An Ordinance to amend the Native Registration Ordinance, 1915.

[December 18th, 1915.]

Short Title.

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 Native Registration Amendment Ordinance, 1915," and shall be read as one with the Native Registration Ordinance, 1915, hereafter referred to as the Principal Ordinance. *p. Lxxii anti*

Amendments

2. (1) In line 6 of Section 2 of the Principal Ordinance the word "above" shall be substituted for the word "about."
- (2) In line 2 of Section 8 of the Principal Ordinance the word "him" shall be inserted between the word "from" and the word "his."
- ? (3) In line ~~10~~¹² of Section ~~12~~¹⁰ of the Principal Ordinance the word "more" shall be deleted.
- (4) In Section 11 of the Principal Ordinance the word "shall" shall be inserted at the beginning of clause 2 and clause 3 of such Section.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 36 OF 1915.

An Ordinance to extend the powers of the Governor and the Governor in Council as the case may be during the continuance of the present hostilities to make rules under the Indian Inventions and Designs Act, 1888 (Act V of 1888) as applied to the East Africa Protectorate by Order of the Secretary of State made the 20th December, 1900, the Registration of Trade Marks Ordinance, 1912, and the Patents and Designs Ordinance, 1913.

[December 18th, 1915.]

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 Inventions, Designs and Trade Marks (Temporary Rules) Ordinance, 1915."

Short title.

2. The power of the Governor and the Governor-in-Council as the case may be under Sections 49 and 63 of the Indian Inventions and Designs Act, 1888, Section 54 of the Registration of Trade Marks Ordinance, 1912, and Section 17 of the Patents and Designs Ordinance, 1913, to make such rules and do such things as he thinks necessary and expedient for carrying out the purposes therein mentioned shall include power to make rules and do such things as he may think expedient for avoiding or suspending the registration, and all or any rights conferred by the registration of any invention or design, the inventor or proprietor whereof is the subject of any State at War with His Majesty; for avoiding or suspending the registration, and all or any rights conferred by the registration of any trade mark, the proprietor whereof is a subject as aforesaid; for avoiding or suspending any patent, letters patent or certificate of the registration of a design, and all or any rights conferred by letters patent or

Power to make Rules.

✓
*Rules as to Patents -
 see O.G. 1917 h. 77.
 Ditto Designs
 see O.G. 1917 h. 79.
 Ditto "Trade Marks"
 see O.G. 1917 h. 277
 Ditto Patents and
 Designs - see O.G. 1917
 h. 77.*

certificate of the registration of a design the holder whereof is a subject as aforesaid; for avoiding or suspending any application made by any such person under the said Act or either of the said Ordinances; for enabling the Governor to grant in favour of persons other than such persons as aforesaid, on such terms and conditions, and either for the whole term of the patent or registration or for such less period as the Governor may think fit, licences to make, use, exercise, or vend patented inventions and registered trade marks and designs so liable to avoidance or suspension as aforesaid, and for extending the time within which any Act or thing may or is required to be done under the said Act and Ordinances.

Date of effect of Rules.

3. If the rules made under this Ordinance so provide the rules or any of them shall have effect as from the passing of this Ordinance.

Application of Ordinance.

4. This Ordinance shall apply to any person resident and carrying on business in the territory of a State at War with His Majesty as if he were a subject of that State; and the expression "subject of any State at War with His Majesty" shall, with reference to a company include any company the business whereof is managed or controlled by such subjects, or is carried on wholly or mainly for the benefit or on behalf of such subjects, notwithstanding that the company may be registered within His Majesty's dominions.

Regarding legal proceedings.

5. No action, prosecution or proceeding shall lie or be instituted against any person who has been granted a licence under this Ordinance, or any rules thereunder, to make, use, exercise or vend, any patented invention or registered invention, trade mark or design, liable to avoidance or suspension under the provisions of Section 2 of this Ordinance, on account of any such manufacture, use, exercise or sale.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 37 of 1915.

Repealed by No 2 of 1919

An Ordinance to amend the Registration of persons Ordinance, 1915.

[December 18th, 1915.]

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 Registration of Persons Amendment Ordinance, 1915" and shall be read with the Registration of Persons Ordinance, 1915, hereinafter referred to as the Principal Ordinance.

Registration of Tribe.

2. In addition to the powers conferred upon the Governor by Section 3 of the Principal Ordinance the Governor may by Proclamation apply the provisions of the Principal Ordinance to Somalis or Swahilis or to any African tribe or part of a tribe.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 38 OF 1915.

An Ordinance to Facilitate Marriages Between British Subjects Resident in the Protectorate and British Subjects Resident in the United Kingdom.

[December 18th, 1915.]

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 Marriage Amendment Ordinance, 1915," and shall be read as one with the East Africa Marriage Ordinance, 1902, hereinafter referred to as the Principal Ordinance. Short Title.

2. (1) Where a marriage is intended to be solemnized or contracted in the Protectorate between a British subject resident therein and a British subject resident in England, Scotland or Ireland a certificate for marriage issued in England by a superintendent registrar or a certificate for marriage issued by a registrar or a certificate of proclamation of banns, in Scotland, or a certificate for marriage issued by a registrar in Ireland shall in the Protectorate have the same effect as a certificate for marriage issued by a registrar under Section 11 of the Principal Ordinance. Marriage facilities.

(2) Where a marriage is intended to be solemnized or contracted in England, Scotland or Ireland as the case may be between a British subject resident therein and a British subject resident in the Protectorate a certificate for marriage may be issued by a registrar under Section 11 of the Principal Ordinance in the like manner as if the marriage was to be solemnized or contracted under circumstances requiring the issue of such a certificate and as if both such British subjects were resident in the Protectorate.

(3) For the purposes of this Section the expression "Certificate for Marriage" in reference to certificates issued in Scotland shall mean a certificate of due publication of notice of intention to marry.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 39 OF 1915.

An Ordinance to make Provision against the smuggling of letters into and out of the Protectorate. ✓

[December 18th, 1915.]

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 Post Office Amendment Ordinance, 1915," and shall be read as one with the Indian Post Office Act, 1898, as applied to the Protectorate hereafter referred to as the Principal Ordinance.

Declaration to be made of letters.

2. Any person landing or embarking, or entering or leaving the Protectorate otherwise than by ship, who is conveying any letter or other written message intended to be delivered by any method to a person other than the conveyer thereof shall:—

(i) if landing at any port in the Protectorate forthwith declare and deliver such letter or message to the Officer of Customs who shall send such letter or message to the nearest Postal Censor.

(ii) if embarking at any port in the Protectorate before embarkation present such letter or message to the nearest Postal Censor and shall before embarkation declare and produce such letter or message to the officer of Customs, if it shall not have been detained by the Postal Censor.

(iii) if entering the Protectorate otherwise than by ship forthwith present such letter or message to the nearest Postal Censor in the Protectorate.

(iv) if leaving the Protectorate otherwise than by ship present such letter or message before leaving the Protectorate to a Postal Censor.

Offence.

3. Any person committing a breach of the provisions of the preceding section shall be punishable on conviction with imprisonment of either description for a term which may extend to two years and shall also be punishable with fine.

Saving.

4. Nothing in this Ordinance contained shall be deemed to make lawful any act which is prohibited or which is punishable under the Principal Ordinance.

Duration of Ordinance.

5. This Ordinance shall remain in operation during the course of the present War.

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No. 40 OF 1915.

*An Ordinance to make Provision for Increasing Native
Hut and Poll Tax,* ✓

[December 18th, 1915.]

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 Native Hut and Poll Tax Amendment Ordinance, 1915," and shall be read as one with "The Native Hut and Poll Tax Ordinance, 1910," (hereinafter referred to as the Principal Ordinance) and "The Native Hut and Poll Tax Amendment Ordinance, 1912," and shall have effect as from the 1st day of April, 1916. Short title.

2. The Governor may by Proclamation increase the respective taxes prescribed by Sections 3 and 5 of the Principal Ordinance to a sum not exceeding five rupees per annum in each case, within such district, area or place, as he may by such Proclamation direct, and thereupon the Principal Ordinance shall be read and construed in its application to such district, area or place as if such sum not exceeding five rupees were substituted throughout the Principal Ordinance for the respective sums of three rupees. Power to increase tax to Rs. 5/.

*Amendment No. 12 of 1915
Tax increased to Rs 10*

**Proclamations
Rules & Regulations.**

EAST AFRICA PROTECTORATE.

PROCLAMATION No. 1] PROCLAMATION.

The East Africa Outlying Districts Ordinance, 1902

WHEREAS by a Proclamation dated the 30th day of May, 1906, certain areas within the Naivasha Province as therein defined were declared to be Closed Districts under the East Africa Outlying Districts Ordinance, 1902. NOW THEREFORE I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the East Africa Protectorate, in exercise of the powers conferred upon me under the East Africa Outlying Districts Ordinance, 1902, do hereby declare that the area mentioned in the Schedule hereto attached and which is located in the Naivasha Province is excluded from the provisions of the above mentioned Ordinance.

Nairobi,
Dated this 26th day of December, 1914.

H. C. BELFIELD,
Governor.

Schedule.

Trade Centre Kammarin.

Situated in the Elgeyo reserve in the neighbourhood known as Quarantine, to the East of Sergoit, and bounded on the North, South and West by Elgeyo forest and on the East by the Elgeyo Escarpment.

GOVERNMENT NOTICE No. 2] RULES.

The East Africa Townships Ordinance, 1903.

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

Nairobi,
Dated this 5th day of January, 1915.

C. C. BOWRING,
Governor's Deputy.

1. These Rules may be cited as "The Nairobi Municipal Committee (Amendment) Rules, 1915," and shall be read together with "The Nairobi Municipal Committee Rules 1914," hereafter called the Principal Rules.
2. Rule 2 of the Principal Rules is amended as follows:—
 - (a) For "seven Government servants", substitute therefor "eight Government servants".
 - (b) For "four Europeans" substitute therefor "five Europeans".

GOVERNMENT NOTICE No. 10] RULE. *Repealed p 2.*

Under the East Africa Townships Ordinance, 1903.

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

1. Rule 8 of the Township Rules dated 23rd July, 1912, is amended as follows.—
by the addition of the word "mumps."

Nairobi,
Dated this 15th day of January, 1915.

H. C. BELFIELD,
Governor.

Under the Diseases of Animals Ordinance, 1906.

RULES issued by His Excellency the Governor under the Diseases of Animals Ordinance, 1906.

Nairobi,

Dated this 13th day of January, 1915.

C. C. BOWRING,

Governor's Deputy

1. These Rules may be cited as "The Diseases of Animals Rules 1915" and shall be read together with "The Diseases of Animals Rules, 1911" hereinafter called the Principal Rules.

2. The scale of fees in the Schedule to the Principal Rules is amended as follows, by addition of the following fee:—

Anthrax Vaccine, 5 doses per rupee 1.

Under the East Africa Townships Ordinance, 1903,

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

Nairobi,

Dated this 23rd day of January, 1915.

H. C. BELFIELD,

Governor.

RULE 3 of the Township Rules dated 22nd November, 1913, is amended as follows:—
by the addition of the word "Mumps."

2. Rule 1 of the Township Rules dated 15th January, 1915, is hereby repealed.

Under the Stage Plays and Cinematograph Exhibitions Ordinance, 1912.

RULES issued by His Excellency the Governor under the Stage Plays and Cinematograph Exhibitions Ordinance, 1912.

Nairobi,

Dated this 23rd day of January, 1915.

H. C. BELFIELD,

Governor.

1. A fee of Rs. 20/- shall be chargeable for every licence for a Stage Play issued under the Stage Plays and Cinematograph Exhibitions Ordinance, 1912, Section 6.

Rule 2 (a) of the Rules under the Stage Plays and Cinematograph Exhibitions Ordinance, 1912, dated the 16th day of April, 1914, is hereby revoked.

3. These Rules may be cited as "The Stage Play Rules, 1915."

GOVERNMENT NOTICE No. 17] NOTICE.

Rules of Court No. 1 of 1915.**Costs in Summary Proceedings on Negotiable Instruments.**

1. These Rules may be cited as Rules of Court (Costs in Summary Proceedings on Negotiable Instruments) No. 1 of 1915.

2. Where proceedings have been taken in the High Court under Chapter XXXIX of the Civil Procedure Code or any law substituted therefor, and the Defendant has failed to obtain leave to appear and defend the suit the sum allowed for Advocate's costs shall be Rupees 50/- which shall be in addition to the sum disbursed for Court costs in accordance with the Scale of Court Fees for the time being in force prescribing the fees leviable in Civil Suits.

3. Where proceedings have been taken in a Subordinate Court under Chapter XXXIX of the Civil Procedure Code or any law substituted therefor, and the Defendant has failed to obtain leave to appear and defend the suit the sum allowed for Advocate's costs shall be where the instrument on which the suit is framed does not exceed in value Rupees 300/- Rupees 15/-, in other cases a sum reckoned at 4% on the value of instrument sued on; such costs shall be in addition to the sum disbursed for Court costs in accordance with the Scale of Court Fees for the time being in force prescribing the fees leviable in Civil Suits.

Mombasa,
January, 1915.

R. W. HAMILTON,
A. T. B. CARTER,
A. F. EHRHARDT,

Approved,
C. C. BOWRING,
Governor's Deputy.

January 28th, 1915.

PROCLAMATION No. 5] PROCLAMATION.

IN exercise of the powers in me vested I hereby declare that the prohibition on the export of Sesame (Simsim) proclaimed in the Proclamation dated the 29th day of January, 1915, (Proclamation No. 4) is hereby withdrawn.

Nairobi,
Dated this 9th day of February, 1915.

C. C. BOWRING,
Governor's Deputy.

GOVERNMENT NOTICE No. 25] REGULATIONS.

Under the Diseases of Plants Prevention Ordinance, 1910.

ISSUED by His Excellency the Governor under the Diseases of Plants Prevention Ordinance, 1910.

Nairobi,
Dated this 8th day of February, 1915.

C. C. BOWRING,
Governor's Deputy

1. These Regulations may be cited as "The Coffee Leaf Disease Regulations, 1915."
2. No coffee plant or coffee cherry shall be moved from any nursery or plantation or other place situated south or east of the boundary hereinafter described to any nursery or plantation situated north or west of such boundary. Such boundary shall be a line from the up line station signal in Escarpment Railway station to the summit of Mount Suswa continued to the boundary of the Protectorate in the same direction south westerly; and a line from the same point at Escarpment Railway station to the summit of Mount Kinankop continued to the boundary of the Protectorate in the same direction north easterly.
3. Any person committing a breach of these Regulations shall be liable on conviction to a fine not exceeding Rupees 750/- or in default of payment of the same shall be liable to imprisonment of either description for a term not exceeding two months.

Uganda Railway Provident Fund Rules.

THE following Form is substituted for the Form of Declaration published on page 662 of the *Official Gazette* of June 10th, 1914.

FORM No. P. F.I.

Uganda Railway Provident Fund.

Particulars of Employee.

A/c No.....

Name (in full).....

{ Agreement.....

{ L. E.....

Father's Name (for Indians and Africans only).....

Nationality.....

Designation.....

^{Wages}
^{Salary} per mensem Rs.....

Date of birth by Christian era.....

Whether interest on P. F. deposits wanted.....

Dated.....191 .

FORM OF DECLARATION.

I hereby declare the following to be the name and address of the person who, in the event of my death, will be entitled to receive [payment of my deposit in the Railway Provident Fund, and I make this my will so far as regards such deposit :—

Name

Address

Whether the above is next-of-kin,
or obtains the deposit by request
of depositor. }

Signature.....

Two witnesses to signature {

Dated.....191 .

NOTE.—All above entries, if made in any other language, should also be translated into English.

Certified that the form, as filled in, has been explained to and thoroughly understood by the Depositor.

Head of Department.

Dated.....the.....191 .

NOTE.—Required only in case a man is illiterate.

GOVERNMENT NOTICE No. 29] RULES.

Under the Land Titles Amendment Ordinance, 1910.

RULES issued by His Excellency the Governor under Section 30 Sub-section (1) of the Land Titles Amendment Ordinance, 1910, (No. 11 of 1910.)

Nairobi,

Dated the 6th day of February, 1915.

H. C. BELFIELD,

Governor.

I. The following fees shall be levied :—

	Rs.	Cts.
(1) On the registration of any document referring to immoveable property, not otherwise charged, the registration of which is compulsory	7	00
Provided that where the value of the property conveyed or affected is less than 1,000 Rupees	3	00
(2) On the registration of a judgment, decree or order of a Court, other than a certificate of sale, and not otherwise charged	3	00
(3) On the registration of a will, Letters of Administration or order of a Court appointing a Wasi or declaring that an estate shall be administered by the Court	3	00
(4) On the registration of a document transmitted to the Registrar under Section 13 Sub-section (1) (b) of the Land Titles Ordinance	5	00
(5) On Searches :—		
(a) In respect of each holding or plan	1	00
(b) For general search, Rs. 5 for each year searched, not exceeding Rs. 50/-		
(6) For the translation of a document not written in English, Arabic or Kiswahili,		
(a) For the first 100 words or part thereof	8	00
(b) For every further 100 words or part thereof	4	00
(7) On the registration of any document affecting more holdings than one situate in the area of one Registrar, in addition to the fee otherwise prescribed and in respect of each additional holding affected	3	00
(8) On lodging a caveat under Section 21 of the Land Titles Ordinance	10	00
(9) For copies of documents :—		
<i>Certified :—</i>		
(a) For first 100 words or part thereof	2	00
(b) For every further 100 words or part thereof	1	00
<i>Uncertified :—</i>		
(a) For first 100 words or part thereof	1	00
(b) For every further 100 words or part thereof	0	50
(10) For copies of plans		
(a) Certified—12 Rupees or such sum as the Registrar may direct		
(b) Uncertified—6 Rupees or such sum as the Registrar may direct		
(11) In respect of every affidavit accepted by the Principal Registrar under Section 17 of the Land Titles Ordinance	3	00
(12) For the Principal Registrar or any Registrar attending at any place beyond the Registration Office	5	00
And in addition, for any distance beyond one mile, the expenses incurred		
(13) On appeal to the Principal Registrar from an order refusing to register a document	5	00
Provided that such fee shall be refunded if the Principal Registrar or the High Court shall order the document to be registered unconditionally.		

II. The "Scale of Fees and Charges to be levied under Part II of the Land Titles Amendment Ordinance, 1910" published in the *Official Gazette* of 1st June, 1910, is hereby cancelled.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated this 11th day of February, 1915.

C. C. BOWRING,

Governor's Deputy.

1. These Rules may be cited as "The Nairobi Bill Posting Rules, 1915," and shall be read together with the Nairobi Township Bill Posting Rules, 1914.
2. Offences against the Nairobi Township Bill Posting Rules, 1914, shall be cognisable by the Police.
3. The Town Clerk may remove without notice and dispose of at his discretion, any hoarding, signboard or similar structure, or any bill, sign, notice or advertisement placed or posted whether before or after the date of the said Rules upon any unalienated Crown land within the township or upon any bridge, tree, fence, pole, post or other structure or erection situated upon unalienated Crown Land within the township without written permission of the Town Clerk or otherwise than in strict accordance with the terms or conditions attached to such permission.
4. No liability shall attach to the Town Clerk in respect of his exercise of the powers conferred upon him by the foregoing Rule.

Under the Registration of Documents Ordinance, 1902.

EAST AFRICA REGISTRATION FEES RULES, 1914.

Rules issued by His Excellency the Governor under Section I of the Registration of Documents Ordinance, 1902, (No. 26 of 1902.)

Nairobi,

The 6th day of February, 1915.

H. C. BELFIELD,

Governor.

I. The following fees shall be levied:—

- | | |
|--|------|
| (1) On the registration of any document referring to immoveable property, not otherwise charged, the registration of which is compulsory... | 7 00 |
| Provided that where the value of the property conveyed or affected is less than 1,000 Rupees ... | 3 00 |
| (2) On the registration of a judgment, decree or order of a Court other than a certificate of sale, and not otherwise charged ... | 3 00 |
| (3) On the registration of a will, Letters of Administration or order of a Court appointing a Wasi or declaring that an estate shall be administered by the Court ... | 3 00 |
| (4) On the registration of Vakallas, the registration of which is compulsory... | 2 00 |
| (5) On the registration of a plan unaccompanied by an instrument ... | 5 00 |
| (6) On the registration of any document not otherwise charged, the registration of which is optional ... | 3 00 |
| (7) On the registration of Promissory Notes, receipts or acknowledgments ... | 1 00 |
| (8) On Searches:— | |
| (a) In respect of each holding or plan ... | 1 00 |
| (b) For general search Rs. 5 for each year searched not exceeding Rs. 50 | |
| (9) For the translation of a document not written in English Arabic or Kiswahili. | |
| (a) For the first 100 words or part thereof ... | 8 00 |
| (b) For every further 100 words or part thereof ... | 4 00 |
| (10) On the registration of any document affecting more holdings than one situate in the area of one Registrar, in addition to the fee otherwise prescribed and in respect of each additional holding affected ... | 3 00 |
| (11) For copies of documents: | |

Certified:

- (a) For first 100 words or part thereof 2 00
 (b) For every further 100 words or part thereof 1 00

Uncertified:

- (a) For first 100 words or part thereof 1 00
 (b) For every further 100 words or part thereof 0 50

(12) For copies of plans:

- (a) Certified—12 Rupees or such sum as the Registrar may direct.
 (b) Uncertified—6 Rupees or such sum as the Registrar may direct.

- (13) For the Principal Registrar or any Registrar attending at any place beyond the Registration Office... .. 5 00
 and in addition for any distance beyond one mile, the expenses incurred.

- (14) On appeal to the Principal Registrar from an order refusing to register a document 5 00
 Provided that such fee shall be refunded if the Principal Registrar or the High Court shall order the document to be registered unconditionally.

II. These Rules may be cited as "The East Africa Registration Fees Rules, 1914."

III. The "East Africa Registration Fees Rules, 1902" are hereby cancelled.

PROCLAMATION No. 6]

PROCLAMATION.

P. 53

Under The Customs Amendment Ordinance, 1915.

IN EXERCISE of the powers conferred on me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, hereby declare that the prohibition on the export of peas contained in the Proclamation No. 4 dated the 29th day of January, 1915, shall not apply to the export of peas grown for the purpose of seed only.

Given under my hand at Nairobi this first day of March, 1915.

H. C. BELFIELD,
 Governor and Commander in Chief.

GOVERNMENT NOTICE No. 37]

RULE.

Under the Indian Stamp Act 1899.

IN exercise of the powers conferred by Section 9 clause (a) of the Indian Stamp Act 1899 (II of 1899) as applied to the East Africa Protectorate the Governor is pleased to reduce the duty chargeable under the said Act in respect of the instrument hereinafter described under article 48 of the Indian Stamp Act 1899.

DESCRIPTION OF
 INSTRUMENT,

Power of Attorney when authorising one person to operate on a Bank account whereby cheques only may be drawn.

PROPER STAMP,
 DUTY.

One rupee.

Nairobi,
 This 25th day of February, 1915.

H. C. BELFIELD,
 Governor.

Under the Courts Emergency Powers Ordinance No. 9 of 1915.

- (1) NOTICE of an application under section 2 (1) (a) for leave to proceed thereunder shall be given to the opposite party.
- (2) Such notice may be given in any of the ways hereinafter set out:—

(a) In an ordinary suit.

By a notice in writing attached to the writ in the action for service therewith in the following form:—

“Take notice that in the event of Judgment being passed in plaintiff's favour he intends to apply to the Court at the time of judgment being passed for leave to proceed under section 2 (1) (a) of Ordinance No. 9 of 1915.”

(b) In suits under Chapter XXXIX of the Code of Civil Procedure.

By a notice in writing attached to the writ in the action for service therewith in the following form:—

“Take notice that if leave to defend this suit is not obtained the plaintiff will on the 10th day from the date of service hereof and if that be a holiday then on the first Court day thereafter apply to the Court (or in a High Court action to a Judge in Chambers) at 9-30 a.m. for leave to proceed under section 2 (1) (a) of Ordinance No. 9 of 1915.”

(c) After the suit has been filed but before Judgment.

By a notice in writing, which notice shall be in the form prescribed in Sub-section (a) of this Rule and shall be served through the Court.

(d) At the time of Judgment being passed.

By oral application in Court provided that the judgment debtor or his representative is there present.

(e) After Judgment has been entered.

By a notice in writing which shall be by way of a Chamber summons in the following form:—

“Take notice that on the..... day of..... at..... application will be made to the Court (or in a High Court action to a Judge in Chambers) for leave to proceed under section 2 (1) (a) of Ordinance No. 9 of 1915.”

- (3) No fee shall be payable to the Court in respect of notices given under Rule (2) (a), (b) and (d).

The ordinary fees for service only shall be payable in respect of notices given under Rule 2 (c) and (e).

- (4) Where a judgment debtor desires to be heard on an application by a judgment creditor for leave to proceed under section 2 (1) (a) such hearing shall be in Chambers, and if the application of the judgment creditor has been made in Court the further hearing shall be adjourned to Chambers to such time as may be fixed when the Order for adjournment is made.
- (5) A judgment debtor must be prepared at the hearing of the application with all books and papers necessary to show that he is unable immediately to make payment by reason of circumstances attributable directly or indirectly to the present war.
If owing to his own negligence he is not so prepared, leave to proceed under section 2 (1) (a) of the Ordinance may be granted to the judgment creditor forthwith.
- (6) If a judgment debtor fails to appear on the hearing of the application of which he has had notice without good and sufficient cause for his non appearance the Court may make an order *ex parte* granting the judgment creditor leave to proceed under section 2 (1) (a).
- (7) When such an *ex parte* order has been made, it shall not be set aside except by a like procedure to that on which an *ex parte* decree may be set aside under the Code of Civil Procedure.
- (8) Where an Order has been made granting a judgment creditor leave to proceed under section 2 (1) (a) he shall be at liberty to pursue his remedy in accordance with the provisions of the Code of Civil Procedure governing the execution of decrees.
- (9) The taxed costs of the judgment creditor on the hearing of an application in Chambers shall be borne in any event by the judgment debtor.

- (10) Any person wishing to obtain the leave of the Court for any of the purposes mentioned in section 2 (1) (b) may either where there is an action pending in which an order may properly be made granting leave apply in the action, or where there is no such action pending apply by way of originating summons.
- (11) Where such application is made in an action it may be made orally in Court in the presence of the opposite party or his representative or by written notice served on the opposite party.
- (12) Where such application is made by way of originating summons it shall be supported by an *affidavit* of facts and a declaration of the remedy which the applicant proposes to pursue. It shall be served on all parties interested and made returnable for the earliest date convenient.
- (13) Such originating summons shall be taken out in the Court which would have jurisdiction (1) in the place in which the right or remedy for the exercise of which the applicant asks leave would be enforced, and (2) over the subject matter of the application were it to be valued for the purposes of a suit, provided that in all matters which cannot be valued at a money value the summons with regard to them shall be taken out in the High Court.
- (14) No fees shall be payable to the Court in respect of any application or summons under section 2 (1) (b) beyond such fees as are ordinarily payable for service.
- (15) Rules 4—9 inclusive shall *mutatis mutandis* apply to the hearing of applications under section 2 (1) (b).
- (16) If the party against whom the applicant seeks to enforce a remedy under section 2 (1) (b) consents at any time before hearing to the order asked for no advocate's costs will be allowed as against him, but where he contests the application the applicant's taxed costs shall be borne by him in any event.
- (17) Where these Rules provide for the giving of any notice or service of any summons, such notice shall be given and such summons shall be served in accordance with the Rules of practice and procedure governing the giving of notice and service of summons in the Court in which such notice is given or such summons is returnable.
- (18) Where a party to whom a notice should be given or on whom a summons should be served in accordance with these Rules cannot be found, the Court may make any order that it could make under the Code of Civil Procedure were the party in question a defendant in a suit and the notice or summons a summons in an action.

Mombasa,
February 22nd, 1915.

R. W. HAMILTON,
Chief Justice.

GOVERNMENT NOTICE No. 39] NOTICE.

Under the Non-Native Poll Tax Ordinance, 1912.

IN EXERCISE of the powers conferred upon me by the Non-Native Poll Tax Ordinance 1912, Section 14. I hereby give notice that I remit the non-native poll tax leviable under the provisions of the aforesaid Ordinance on the officers, non-commissioned officers, soldiers and followers of any military Expeditionary Force or military unit from overseas or from the Uganda Protectorate operating in the East Africa Protectorate, provided that such exemption as aforesaid shall apply only to such officers, non-commissioned officers, soldiers and followers who have accompanied such military Expeditionary Force or military unit from overseas or from the Uganda Protectorate, as the case may be, to the East Africa Protectorate during the course of the present war.

Nairobi,
Dated this 27th day of February, 1915.

H. C. BELFIELD,
Governor.

GOVERNMENT NOTICE No. 42] NOTICE.

Under the British & Colonial Probates Ordinance, 1914, (No XV of 1914.)

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

Nairobi,
February 24th, 1915.

By Command of His Excellency
C. C. BOWRING,
Chief Secretary.

PROCLAMATION No. 7]

PROCLAMATION.

Under the Forest Ordinance, 1911.

IN pursuance of the powers conferred upon me by section 3 of the Forest Ordinance, 1911, I hereby declare the area hereinafter defined in the Schedule hereto to be a Forest Area for the purposes of the aforementioned Ordinance.

Nairobi,

Dated this 5th day of March, 1915.

H. C. BELFIELD,

*Governor.***Schedule.**

Description of the boundaries of Forest Reserve L. O. No. 2661, to the North of the Uganda Railway, approximately between miles 510 and 512/2.

Commencing at the point of intersection of the eastern boundary of L. O. No. 593 by the Uganda Railway 100 feet zone, on the Northern side of the Railway, in the vicinity of Mile 512/2; thence bounded on the West by L. O. No. 593; thence on the North by L. O. No. 585; thence on the East by L. O. No. 1185; thence on the South by the Uganda Railway 100 feet Northern zone to the point of commencement.

The area approximates 620 acres.

GOVERNMENT NOTICE No. 53]

NOTICE.

Under the Fugitive Criminals Surrender Ordinance, 1908.

IT IS HEREBY NOTIFIED that in exercise of the powers conferred upon me by the Fugitive Criminals Surrender Ordinance, 1908, Section 2, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander in Chief of the East Africa Protectorate, do hereby direct that the aforesaid Ordinance shall apply in the case of the territories of Her Majesty the Queen of the Netherlands during the continuance of the arrangement made between His Majesty the King and Her Majesty the Queen of the Netherlands and contained in the Treaty between the United Kingdom and the Netherlands relating to the Extradition of Fugitive Criminals between certain British Protectorates and the Netherlands signed at the Hague on the 17th day of August, 1914.

Given under my hand at Nairobi this 8th day of March, 1915.

H. C. BELFIELD,

Governor and Commander-in-Chief.

GOVERNMENT NOTICE No. 60]

RULES.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated this 20th day of March, 1915.

C. C. BOWRING,

Governor's Deputy.

1. No explosives as defined by Rules under the Indian Explosives Act, 1884, and dated 12th July, 1913, shall be stored in any Township. Provided nothing herein contained shall apply to explosives stored in any Township by a Government Department in a place and in such quantities as shall be approved of by the Governor. Provided further that nothing herein contained shall apply to Explosives of Division 1 of the Ammunition Class and Firework Class (Classes VI and VII) as defined by the aforementioned Rules.

2. These Rules shall apply to all Townships.

GOVERNMENT NOTICE No. 61]

RULE.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated this 22nd day of March, 1915.

C. C. BOWRING,

Governor's Deputy.

Notwithstanding anything contained in Rule 127 of Township Rules 1904 it shall be lawful for any person to sell poultry elsewhere within the township of Nairobi than in a public market.

PROCLAMATION No. 12] PROCLAMATION.

Under the Outlying District Ordinance, 1902.

In exercise of the powers conferred upon me under the East Africa Outlying Districts Ordinance 1902, I Charles Calvert Bowring, C.M.G. do hereby declare the trade centre and the trade road mentioned in the Schedule hereto attached, which are located in the Province of Kenya, to be excluded from the provisions of the above noted Ordinance.

Nairobi,
Dated this 27th day of March, 1915.

C. C. BOWRING,
Governor's Deputy.

Schedule.

I. Trade Centre.

Name.	Situation.	Area.
Runyenji's	Upper Embu, on the main road and about half way between Embu and Chuka Stations.	Approximately 3 acres.

II. Trade Road.

Name.	Divisions through which road passes.	Extent.
Embu-Chuka main road	Embu, Chuka	About 15 miles.

GOVERNMENT NOTICE No. 67] RULE.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,
Dated this 27th day of March, 1915.

C. C. BOWRING,
Governor's Deputy.

Rules 1, 2, 3, 4, and 6 of Township Rules dated 13th February, 1912, and relating to Nairobi Municipal Quarries are hereby repealed as from the 1st day of April, 1915, provided that nothing herein contained shall be held to prejudice or in any way affect the right of the Municipal Committee of Nairobi to royalties in respect of stone, murrum or quarry chips quarried or removed from the said quarries before the said date.

PROCLAMATION No. 16] PROCLAMATION.

Under the Outlying Districts Ordinance, 1912.

IN exercise of the powers conferred upon me under the East Africa Outlying Districts Ordinance, 1902, I, Charles Calvert Bowring, C.M.G., do hereby declare the trade centres mentioned in the Schedule hereto attached and which are located in the Province of Kenya to be excluded from the provisions of the above noted Ordinance.

Nairobi,
Dated this 3rd day of April, 1915.

C. C. BOWRING,
Governor's Deputy.

Schedule.

I. TRADE CENTRES.

Name.	Situation.	Area.
1. Igarie	Igoji near the Mwitini border on the main Meru-Chuka road.	About 3 acres.
2. Kirieni	Kirieni, on the main Meru-Maua road, some 12 miles from Meru station.	About 3 acres.

Under the Forest Ordinance, 1911.

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

Nairobi,

Dated this 3rd day of April, 1915.

C. C. BOWRING,

*Governor's Deputy.***Description of Forest area near Nakuru.**

NAKURU LAKE FOREST.

Commencing at the South-east corner of L.O. 1022 on Lake Nakuru, thence bounded by the Lake shore southerly to the Northern boundary of L.O. 459, thence by the Northern boundary of L.O. 459 Westerly to the North-western corner of L.O. 459, thence by Western boundary of L.O. 459 Southerly to the North-east corner of L.O. 1764, thence by the Northern boundary of L.O. 1764 South-westerly to the North-west corner of L.O. 1764, thence by the Western boundaries of L.O. 1764 and L.O. 1765 Southerly to the South-west corner of L.O. 1765, thence North-westerly to the South-eastern corner of L.O. 1519, thence by the Eastern boundaries of L.O. 1519 and L.O. 1172 North-westerly to the North-east corner of L.O. 1172, thence by the Northern boundary of L.O. 1172 Westerly to the Ol Are Ol Imudiak River, thence by this river down stream to the South-westerly corner of L.O. 1516, thence by the Southern boundary of L.O. 1516 Easterly to the North-western corner of L.O. 1529 thence by the Western boundary of L.O. 1529 Southerly to the South-west corner of L.O. 1529, thence by the Southern boundaries of L.O. 1529 and 1022 Easterly to the point of commencement.

L.O. 1518 is excluded from the Forest Reserve.

Under the East Africa Townships Ordinance, 1903.

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

✓ Given under my hand at Nairobi this 9th day of April, 1915. H. C. BELFIELD,
Governor.

Nairobi Municipal Committee.

1. These Rules may be cited as "The Nairobi Municipal Committee Further Amendment Rules, 1915."
2. The Nairobi Municipal Committee Rules, 1914, shall be amended as follows:—
 - (i) In Rule 2 of such Rules the word "Governor" shall be substituted for the words "Chief Secretary."
 - (ii) In Rule 4 of such Rules:—
 - (a) the word "Governor" shall be substituted for the words "Chief Secretary" and
 - (b) the words "with the approval of the Governor" shall be deleted.
3. The Nairobi Municipal Committee (Amendment) Rules, 1915, shall be amended by the deletion of Rule 2 (a) thereof and substituting therefor:—
 - (a) For the words "seven Government servants" shall be substituted the words "nine Government servants."
4. (a) The provisions of Rule 2 shall not affect the nominations made under the Nairobi Municipal Committee Rules 1914, by the Chief Secretary to the Nairobi Municipal Committee for the year 1915.
 - (b) The Governor may nominate such additional Government servants as members of the Nairobi Municipal Committee for the present year as may be necessary to bring the number of such members in accordance with the number of such members provided for by these Rules

GOVERNMENT NOTICE No. 74] RULES.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated this 3rd day of April, 1915.

C. C. BOWRING,
Governor's Deputy.

1. Any offence against any of the following Township Rules, 1904, shall be cognisable by the Police:—Rules 65 and 67.
2. These Rules shall apply to the Township of Mombasa.

GOVERNMENT NOTICE No. 75] RULE.

Under the East Africa Townships Ordinance, 1903.

RULE issued by his Excellency the Governor under the provisions of the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 8th day of April, 1915.

C. C. BOWRING,
Governor's Deputy.

1. It shall be lawful for the Town Clerk to remit any fees paid under the provisions of the Rules dated the 1st day of August, 1913 for the quarter ending the 31st day of March, 1915. Any sum so remitted shall be credited to the sum payable by the person paying the sum so remitted in respect of such fees for the succeeding quarter ending the 30th day of June, 1915.

GOVERNMENT NOTICE No. 76] RULES.

Under the Trading with the Enemy Ordinance, No. 10 of 1915.

1. ANY application under Section 8 (1) of the Ordinance shall be made in the first instance *ex-parte* by a Chamber summons supported by affidavit.

2. On the Court being satisfied that there is *prima facie* cause for making the order notice of hearing shall be served by the Court on the enemy or his representative.

3. Notice of the hearing shall also be given in the *Official Gazette* and in such other manner as the Court may direct.

4. Where the enemy is without and has no representative within the jurisdiction notice of hearing may be given by notice in the *Official Gazette* only and where the property in question is immovable a copy of such notice shall be affixed in a conspicuous place on the property.

5. Any person objecting to the application shall lodge his objection in writing in the High Court within 21 days of the publication of the notice in the *Official Gazette*, and the objection shall be heard in like manner as though it were an objection to an attachment under the Code of Civil Procedure.

6. Any person who has filed an application under Section 8 (1) of the Ordinance may apply to the Court for an interim order pending the hearing of the application and the Court may make such order thereon as it may deem fit for the better preservation of the property pending the making of a final order.

7. A custodian desiring to make a payment under Section 9 (2) of the Ordinance where there has not been a decree for the sum shall give notice in the *Official Gazette* of his intention to apply to the Court for leave specifying a date on which the application will be made which date shall be not less than 21 days from the date of notice in the *Official Gazette*.

8. Such application shall be supported by affidavit to the satisfaction of the Court that the debt is due and owing and may properly be paid.

9. A custodian desiring to make a payment under Section 9 (2) of the Ordinance where there has been a decree for such payment shall, if the application for leave be made to a Court other than the Court which passed the decree, exhibit the decree or a certified copy thereof to the affidavit in support of the application.

10. Any person desiring to object to an application by a custodian under Section 9 (2) of the Ordinance must lodge his objection in writing at any time before the hearing of the application either with the Registrar of the High Court or in the Court which passed the decree as the case may be and the Registrar or Court shall give notice thereof to the custodian.

11. All hearings of applications or objections under these Rules except under Rule (1) shall be in open Court.

12. All applications and objections filed in the High Court shall be lodged with the Registrar at Mombasa.

13. There shall be payable in respect of all proceedings under these Rules such Court fees as are payable in proceedings of a like nature under the Code of Civil Procedure.

Mombasa,

24th February, 1915.

R. W. HAMILTON,
Chief Justice, E. A. Protectorate.

PROCLAMATION No. 4]

PROCLAMATION.

Prohibition of Exports.

IN EXERCISE of the powers in me vested I hereby declare that the export of the following articles from the Protectorate to any destination is prohibited:—

Barley	Onions
Beans	Peas
Chiroko (or Moong or Mopokio)	Potatoes
Garlic	Rice
Ground Nuts	Sim sim (or Sesame)
Maize	Sugar
Mwele	Urad
Millet	Wheat
Oats	Wimbi

The aforesaid prohibition shall not apply to any consignment of any of the aforesaid articles which has been accepted by the Uganda Railway on or before the 3rd February, 1915, for transit to Mombasa.

Given under my hand at Nairobi this 29th day of January, 1915.

C. C. BOWRING,
Governor's Deputy.

PROCLAMATION No. 20]

PROCLAMATION.

Under the East Africa Police Ordinance, 1911.

IN EXERCISE of the powers conferred upon me by the East Africa Police Ordinance, 1911, section 79, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, do hereby declare that the aforesaid section of the said Ordinance shall from and after the date hereof extend and apply to an area comprised within a circle having as its centre the Booking Office of the Uganda Railway Station at Londiani and having a radius of one mile from such Station.

Given under my hand at Nairobi this 16th day of April 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GENERAL NOTICE No. 234]

NOTICE.

Under the Diseases of Animals Ordinance, 1906.

3. Fees for testing immunity of cattle to East Coast Fever ... Rs. 3/- per head.
(See Notice No. 128, *Official Gazette* of June 24th, 1914).

Nairobi

April 15th, 1915.

W. KENNEDY,
Ag. Chief Veterinary Officer.

GENERAL NOTICE No. 235]

NOTICE.

Notice Proclaiming certain areas of Land in the Malindi District to be Crown Lands.

I, Adrian John Maclean, Recorder of Titles in pursuance of Rules 5 and 6 under section 52 (e) of the Land Titles Ordinance, 1908, and dated the 15th day of December, 1911, do hereby give Notice that the lands comprised within the boundaries herein described excepting only the land specified in the Schedule hereunder written are CROWN LANDS.

THE BOUNDARIES OF THE LANDS HEREBY DECLARED TO BE CROWN LANDS EXCEPTING CERTAIN AREAS THEREOF HEREINAFTER SPECIFIED ARE:

NORTH:—The Sabaki River.

EAST:— The Indian Ocean.

WEST:— The limits of the Ten mile Zone.

SOUTH:—The Northern Boundary of the No. 5, Mazrui Reserve (Msabaha Block) which has been duly surveyed.

Schedule of exceptions to the land within the above described boundaries which said exceptions are either not Crown Lands or are lands, the title to which is undecided.

1. The lands in respect of which claims to Certificates of Ownership have been upheld.
2. The lands lying within the Malindi Township subject of applications for Certificates of Title of Ownership the adjudication upon which has been postponed.

Mombasa,

Dated this 3rd day of April, 1915.

A. J. MACLEAN,
Recorder of Titles.

PROCLAMATION No. 24]

PROCLAMATION.

Under the East Africa Outlying Districts Ordinance, 1902.

IN EXERCISE of the powers conferred upon me by the East Africa Outlying Districts Ordinance, 1902, I, Sir Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate do hereby declare the trading centres mentioned in the Schedule hereto attached and which are situated in the Kitui District of the Province of Ukamba to be excluded from the provisions of the aforesaid Ordinance, and I further declare the list of Trading Centres in the aforesaid District of Kitui set out in the Schedule to the Proclamation under the aforesaid Ordinance dated the 1st day of March, 1912 to be cancelled.

Given under my hand at Nairobi this 20th day of April, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

Schedule.**Kitui District.**

TRADE CENTRES.

Name.	Situation.	Extent.
Mivukoni	About half a mile North of old Mission house on Masobe River.	Approximately an area of 10 acres as defined by beacons erected by the District Commissioner.
Katzi	Where main road from Mitia to Thaaka joins the road from Massosia.	do.
Mumoni	On Massosia River at Mumoni Station.	do.
Mirwani	Between Nzauni Hill and source of Ikoo River on the main Kitui Mumoni Road.	do.
Ngieni	North East of Ngieni Hill at Junction of roads from Kitui and Endau.	do.
Tiva	On West bank of Tiva River where the main Machakos-Kitui Road crosses that River.	do.
Ikanga	On main cart road to Kibwezi.	do.
Ikutha	On main cart road to Kibwezi, South of Mission Station.	do.
Kanziko	South of Kamatha Hill where road from Ikutha joins road from Mutha.	do.
Voo	At junction of Thowa and Nganga Rivers.	do.
Mutito	On main road from Kitui to Buboni about 2 miles east of Mutito Hill.	do.
Ndiuni	On Mui River on main road from Kitui to Nu.	do.
Mwingi	At Mwingi Mirwani Location on main road from Kitui to Endui.	do.
Mwewa	On North bank of Mwewa River on main road from Kitui to Ikutha.	do.
Nzombe	At Nzombe on main road from Kitui to Endau.	do.

GOVERNMENT NOTICE No. 85]

NOTICE.

IN pursuance of further Royal Instructions given on the 13th day of March, 1915.

Notes 1 and 2 to Government Notice No. 34 of January 24th, 1914, are hereby amended by the substitution of the words "of Attorney General, and of Treasurer" for the words "of Treasurer, and of Attorney General."

Nairobi,
April 24th, 1915.

C. C. BOWRING,
Governor's Deputy.

GOVERNMENT NOTICE No. 86] NOTICE.

**An Ordinance to Amend The Supplementary Appropriation Ordinance, 1915.
(No. I of 1915).**

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

**An Ordinance to amend The Sale of Land by Woman Ordinance, 1915.
(No. V of 1915).**

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

**An Ordinance to amend The Press Censorship Ordinance, 1915.
(No. VI of 1915).**

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

**An Ordinance to amend The Volunteer Ordinance, 1915.
(No. VII of 1915).**

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

**An Ordinance to amend The Death Duties (Killed in war) Ordinance, 1915.
(No. VIII of 1915).**

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

**An Ordinance to amend The Courts (Emergency Powers) Ordinance, 1915.
(No. IX of 1915).**

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

By Command of His Excellency,

Nairobi,
April 21st, 1915.

C. C. BOWRING,
Chief Secretary.

PROCLAMATION No. 25] PROCLAMATION.

Under the Land Titles Ordinance, 1908, and Amendments.

WHEREAS by section 2 of the said Land Titles Ordinance, 1908, the Governor may by Proclamation apply the said Ordinance to any District, area or place in the Protectorate and fix the day on which the said Ordinance shall commence and take effect in such District, area or place.

NOW THEREFORE in exercise of the powers conferred upon me by the hereinbefore mentioned section 2, I, Henry Conway Belfield, K.C.M.G., do hereby apply the Land Titles Ordinance, 1908, and Amendments to all lands within the area known as the Sultanate of Witu in the Province of Tanaland, and I direct that the said Ordinance shall commence and take effect from the 1st day of June, 1915.

Nairobi,
Dated this 7th day of May, 1915.

H. C. BELFIELD,
Governor.

PROCLAMATION No. 26] PROCLAMATION.

Under the East Africa Outlying Districts Ordinance, 1902.

WHEREAS by a Proclamation dated the 30th day of May, 1906, certain areas within the Naivasha Province as therein defined were declared to be Closed Districts under the East Africa Outlying Districts Ordinance, 1902. Now therefore I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the East Africa Protectorate, in exercise of the powers conferred upon me under the East Africa Outlying Districts Ordinance, 1902, do hereby declare that the area mentioned in the Schedule hereto attached and which is located in the Naivasha Province is excluded from the provisions of the above mentioned Ordinance.

Nairobi,
May 7th, 1915.

H. C. BELFIELD,
Governor.

Schedule.

TRADE CENTRE MOGOTIO.

Situated on the West side of Molo River in the Uasin Gishu Masai Reserve, near Messrs. Stanning Brothers' Flour Mill. Approximate area 10 acres as per boundaries defined by beacons.

[PROCLAMATION No. 27]

PROCLAMATION.

Under the Forest Ordinance, 1911.

IN pursuance of the powers conferred upon me by section 3 of the Forest Ordinance, 1911, I hereby declare the area hereinafter defined to be a Forest area for the purposes of the aforementioned Ordinance. The Proclamation published in the *Official Gazette* of April 14th, 1915, and dated the 3rd day of April, 1915, is hereby cancelled.

Nairobi,

Dated this 7th day of May, 1915.

H. C. BELFIELD,

*Governor.***Description of Forest Area Near Nakuru.**

NAKURU LAKE FOREST.

Commencing at the South-east corner of L. O. 1022 on Lake Nakuru, thence bounded by the Lake shore Southerly to the Northern boundary of L. O. 459, thence by the Northern boundary of L. O. 459 Westerly to the North-western corner of L. O. 459, thence by Western boundary of L. O. 459 Southerly to the North-east corner of L. O. 1764, thence by the Northern boundary of L. O. 1764 South-westerly to the North-west corner of L. O. 1764, thence by the Western boundaries of L. O. 1764 and L. O. 1765 Southerly to the South-west corner of L. O. 1765, thence North-westerly to the South-western corner of L. O. 1517, thence by the Southern boundaries of L. O. Nos. 1517 and 1519 North-easterly to the South-eastern corner of L. O. 1519, thence by the Eastern boundaries of L. O. 1519 and L. O. 1172 North-westerly to the North-east corner of L. O. 1172, thence by the Northern boundary of L. O. 1172 Westerly to the OlAre Ol Imudiak River, thence by this river down stream to the South-westerly corner of L. O. 1516, thence by the Southern boundary of L. O. 1516 Easterly to the North-western corner of L. O. 1529, thence by the Western boundary of L. O. 1529 Southerly to the South-west corner of L. O. 1529, thence by the Southern boundaries of L. O. 1529 and 1022 Easterly to the point of commencement.

L. O. 1518 is excluded from the Forest Reserve.

[GOVERNMENT NOTICE No. 89]

RULE.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated the 8th day of May, 1915

H. C. BELFIELD,

Governor.

In Rule 2 (12) of the Nairobi Building Amendment Rules 1914, for the words "any public building" shall be substituted the words "every public building".

[GOVERNMENT NOTICE No. 90]

NOTICE.

Under the Customs Ordinance, 1910.

IN EXERCISE of the powers conferred upon me by the Customs Ordinance, 1910, Section 143, I hereby give notice that after the 30th day of June, 1915 goods imported for conveyance by the Uganda Railway and declared for transit through the Protectorate shall pass through the Customs House at Kilindini.

Given under my hand at Nairobi this 8th day of May, 1915.

H. C. BELFIELD,

Governor and Commander-in-Chief.

[GOVERNMENT NOTICE No. 93]

RULES.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated this 15th day of May, 1915.

H. C. BELFIELD,

Governor.

1. The application of the Rules relating to the Nairobi Municipal Stockyards dated the 12th day of January 1914, issued under the East Africa Townships Ordinance, 1903, and published in the *Official Gazette* of the 14th day of January, 1914, (Government Notice No. 19,) is hereby suspended.

2. The Governor by notice published in the *Gazette* may at any time apply the Rules referred to in Rule 1 hereof to the Township of Nairobi.

3. These Rules may be cited as "The Nairobi Stockyard Rules 1915."

Under the Sales by Auction Ordinance, 1912.

RULES issued by His Excellency the Governor under the Sales by Auction Ordinance, 1912.

Given under my hand at Nairobi this 15th day of May, 1915.

H. C. BELFIELD,
Governor.

1. These Rules may be cited as "The Sales by Auction Rules 1915."
2. The following Rule has been previously published, submitted to the Legislative Council and approved by such Council in accordance with the provisions of Section 18 (2) of the Sales by Auction Ordinance, 1912:—

The maximum rate of commission which an auctioneer shall be entitled to demand, recover or retain as remuneration for his services shall be as follows:—

FOR THE SALE OF IMMOVEABLE PROPERTY:—

When the amount realised does not exceed Rs. 15,000...	5%
When the amount realised exceeds Rs. 15,000	5% on the first Rs 15,000 then 2½% from Rs. 15,000 to Rs. 30,000 and 1% thereafter.

FOR THE SALE OF LIVESTOCK 5%

FOR THE SALE OF GENERAL GOODS:—

When the amount realised does not exceed Rs. 100	10%
When the amount realised does not exceed Rs. 1,000	7½%
When the amount realised exceeds Rs. 1,000	5%

When the sale is subject to a reserve price and such price is not attained the auctioneer may charge a commission not exceeding a sum calculated on the reserve price at half the rate hereinbefore provided for the class of property or goods to be sold.

Under the Crown Lands Ordinance, 1915.

IN EXERCISE of the powers conferred upon the Governor by section 1 of the Crown Lands Ordinance, 1915, notice is hereby given that such Ordinance will come into operation on the 1st day of June, 1915.

Nairobi,
Dated this 18th day of May, 1915.

H. C. BELFIELD,
Governor.

An Ordinance to amend The Customs Tariff Ordinance, 1909, (No. II of 1915).

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

An Ordinance to amend The Law Relating to Master and Servants, (No. III of 1915).

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

An Ordinance to amend The Law Relating to Customs, (No. IV of 1915).

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

An Ordinance to make provision for borrowing the sum of £1,868,000 from the Imperial Treasury, and for the raising, appropriating, and applying the loan, and for the due repayment of the same as provided by the East African Protectorates (Loans) Act, 1914.

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

By Command of His Excellency,

Nairobi,
May 12th, 1915.

C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 102] RULES.

Under the Crown Lands Ordinance, 1915.

Rules issued by the Governor in Council under Section 158 Sub-section (1) of the Crown Lands Ordinance, 1915.

Nairobi, Dated this 1st day of June, 1915.

H. C. BELFIELD, Governor.

- 1. There shall be established Crown Lands Registration Offices at Nairobi and Mombasa. (a) In the Nairobi Office will be registered all transactions referring to Crown Lands in the Provinces of Ukamba, Kenya, Naiyasha, Nyanza and the Northern Frontier District. (b) In the Mombasa Office will be registered all transactions referring to Crown Lands in the Provinces of Seyidie, Tanaland and Jubaland. 2. The forms in the First Schedule hereto annexed shall be used in all cases under Part XI of the aforesaid Ordinance. 3. The fees specified in the Second Schedule hereto annexed shall be leviable under Part XI of the aforesaid Ordinance in respect of the several matters mentioned therein. 4. These Rules shall come into operation on the 1st day of June, 1915. 5. These Rules may be cited as "The Crown Lands Registration Rules, 1915."

First Schedule.

Crown Lands Ordinance, 1915.

Memorandum of Equitable Mortgage by Deposit of Documents.

(SECTION 109—PROVISO.)

To the Registrar of Crown Lands,

Documents No.....relating to holding No.....in the district ofwere deposited with me by way of Equitable Mortgage on the.....day of.....19.....

Date.....

Crown Lands Ordinance, 1915.

Memorandum of Discharge of an Equitable Mortgage by Deposit of Documents.

(SECTION 109—PROVISO.)

To the Registrar of Crown Lands,

The Equitable Mortgage by deposit of Documents No.....relating to holding No.....in the district of.....was discharged on the.....day of.....19.....

Date.....

Crown Lands Ordinance, 1915.

Memorandum of Title.

(SECTION 114).

Full Name of Registered Owner.....
(Set out Postal address and description).....

Full name of person acquiring Title.....
(Set out postal address and description).....

Reference to the Volume and Folium of }
the Register in which the property }
has been previously registered. }

Description of Lands }
(Set out description exactly) }

Nature of the Estate or Interest claimed

Dated this day of.....191...

(Signature)

Crown Lands Ordinance, 1915.

Caveat forbidding the Registration of any deed affecting any Land.

(SECTION 125 (1).)

To the Registrar of Crown Lands,

.....

(1) Insert full name. Take notice that I, (1)
(2) Postal Address. of (2)
(3) State nature of the estate or interest claimed. claiming (3) in (4)
(4) Name or description of land. situated in the District of
in the.....Province
and registered in Volume.....Folio.....
forbid the registration of any deed or other instrument affecting the said land.
(5) Adding if the Caveator wishes, the words in brackets. (5) (executed or about to be executed by.....
of.....until.....)

Dated the.....day of.....191...

(Signature).....

Crown Lands Ordinance, 1915.

Form for endorsement by Registrar.

(SECTION 129).

EAST AFRICA PROTECTORATE.

Registered at

Volume No..... Folium.....

Date.....19..... Hour.....m.

.....
Registrar.

Second Schedule.

Fees.

1. The following fees shall be levied :—	Rs.	Cts.
(1) On the registration of any document referring to immoveable property, not otherwise charged, the registration of which is compulsory ...	7	00
Provided that where the consideration expressed in the document is less than Rupees 1,000 ...	3	00
(2) On the registration of a judgment, decree or order of a Court, other than a certificate of Sale, and not otherwise charged (Section 115) ...	3	00
(3) On the registration of a Memorandum other than a Certificate of Sale, transmitted to the registry under (Section 114) ...	3	00
(4) On the registration of a Will (Section 110) ...	3	00
(5) On the registration of a Power of Attorney (Section 117) ...	3	00
(6) On the registration of a Plan, referring to immoveable property registered under this Ordinance, if unaccompanied by an instrument...	5	00
(7) On the registration of any document affecting more holdings than one situate in the area of one Registration Office, in addition to the fee otherwise prescribed and in respect of each additional holding affected ...	3	00
(8) (a) On the registration of a Memorandum of the deposit of title deeds by way of Equitable Mortgage (Section 109 Proviso) ...	3	00
(b) On the registration of the discharge of the same (Section 109 Proviso) ...	3	00
(9) On lodging a Caveat (Section 125, Sub-Section (1)) ...	10	00
(10) In respect of every affidavit accepted by the Principal Registrar (Section 121) ...	3	00
(11) On appeal to the Principal Registrar from an order refusing to register a document (Sections 119 (2) and 122 (1)) ...	5	00
Provided that such fee shall be refunded if the Principal registrar or the High Court shall order the document to be registered unconditionally.		
(12) On search or inspection :—		
In respect of each holding or plan ...	1	00
For general search—Rs. 5 of each year of the Register searched not exceeding ...	50	00
(13) For Certified Copy of any document or extract therefrom :		
(a) For first 100 words or part thereof ...	2	00
(b) For every further 100 words or part thereof ...	1	00
(14) For Certified Copy of a Plan ... or such further sum as the Registrar may direct.	5	00
(15) For attendance by the Principal Registrar or any Registrar at a place beyond the Registration Office ... and, in addition, for any distance beyond one mile the expenses incurred.	5	00

Under the Forest Ordinance, 1911.

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

Nairobi,

Dated this fourth day of June, 1915.

C. C. BOWRING,

Governor's Deputy.

1. The first and third Schedules to the Rules published on the 12th day of May, 1912, are hereby cancelled and the following Schedules are substituted therefor.

First Schedule.**Protected trees and Forest Produce on Crown Lands and within a Forest Area.**

PROTECTED TREES.

Botanical Name.	Common Name.	Vernacular Name.
Afzelia cuanzensis	...	M'Bemba Kofi (Swa)
Albizzia fastigiata	...	Mukurue (Kik)
Allophylum abssinicum	...	Mushami (Kik)
Brachylæna hutchinsii	...	Muhugu (Kik)
do. sp.	...	Muhuhu (Swa)
Brugueira gymnorhiza	...	Mchumsi; Msindi; Muia (Swa)
Calodendron capense	Cape Chestnut	Mulalachi; Muroroa (Kik)
Canthium schimperianum	...	Ruazi (Kik)
Catha edulis	...	Muirungi (Kik)
Celastrus sp.	...	Muthisoi (Kik)
Ceriops candolliana	...	Mkandaa (Swa)
Cholorophora excelsa	...	Mvuli (Swa)
Combretum schumannii	...	Mpera mwitu (Swa)
Dalbergia melanoxylon	Ebony	Mpingu (Swa)
Drypetes sp.	...	Munyeye (Kik)
Elæodendron sp.	...	Mutanga (Kik)
Euphorbiacea	...	Mukarara (Kik)
Gelonium procerum	...	Munyeye (Kik)
Heptapleurum sp.	...	Mutati (Kik)
Heritiera litoralis	...	Mgongongo (Swa)
Juniperus procera	Cedar	Mutarakwa (Kik)
Maba abyssinica	...	{ Mairothi (Kik)
		{ Lusoi (Kav)
Markhamia hildebrandtii	...	{ Muho (Kik)
		{ Lusiola (Kav)
Mascarenhasia elastica	Mgoa Rubber	Mgoa (Swa)
Mayepea welwitschii	...	Mutukuyu (Kav)
Mimusops, sp.	...	Ngambo (Swa)
do.	...	Mugambwa (Kik)
do.	...	Muna (Kik)
Ocotea usambarensis	...	Muzaiti or Muziti (Kik)
Olea chrysophylla	...	Mutamayu (Kik)
do. hochstetteri	...	Musharage (Kik)
Piptadenia buchannani	...	Mukoi (Kik)
Podocarpus milanjanus	Podo	Musangera (Kik)
do. gracilior	do.	do.
Pygeum africanum	Red stink-wood	Mueria; Mueri (Kik)
Rapanea rhododendroides	...	Mugaita (Kik)
Rawsonia usambarensis	...	Mutendera (Kik)
Rhizophora mucronata	Bark mangrove	Mkoko (Swa)
Tamarindus indicus	Tamarind	Mkwaju (Swa)
Terminalia sp.	...	Mwangati (Swa)
Todallia sp.	...	Munderendu (Kik)
Trachylobium hornimannianum	Copal	Mtandarusi (Swa)
Vitex Keniensis	...	Muhuru (Meru)
Warburgia sp.	...	Mkarambaki (Swa)
do. ngandensis	...	Muthiga (Kik)
Weihea africana	...	Musaizi (Kik)
Zanthoxylum sp.	...	Shughoma (Kav)

FOREST PRODUCE.

Rubber

Gum

Third Schedule.

Fees and Royalties payable.

(1) TIMBER.

Trees within a 10 mile radius of Nairobi or within 5 miles of the Uganda Railway or any branch thereof or within 5 miles of any recognised Port on the Coast:—

Cedar— <i>Juniperus procera</i> ...	...	30 cents per cubic foot.
Muzaiti— <i>Ocotea usambarensis</i> ...	...	30 " " " "
Ebony— <i>Dalbergia melanoxylon</i> ...	...	30 " " " "
Mueri— <i>Pygeum africanum</i> ...	...	25 " " " "
Podocarpus— <i>Podocarpus milanjianus</i> ...	...	25 " " " "
" " <i>gracilior</i> ...	...	25 " " " "
Mbemba Kofi— <i>Azalia cuanzensis</i> ...	...	25 " " " "
All other protected trees (1st Schedule) ...	...	20 " " " "
Exotic trees ...	...	10 " " " "
All other trees ...	...	5 " " " "

The above rates shall be subject to a general reduction of 1% per mile outside the Nairobi 10 mile radius and beyond 5 miles of the Uganda Railway or its branches and beyond 5 miles from any recognised Port on the Coast and such reduction shall extend to a maximum of 50% of the above rates, after which no further reduction shall be made.

Only mature timber will be sold from Government forests.

The measurement will be per cubic foot of sound bole; allowance being made for unsound timber as far as this can be judged before the tree is sold.

Timber too unsound to measure in the bole, will be sold by "stacked measurement" and the Royalty paid in respect of such timber shall be subject to a reduction of 25% of the Royalty prescribed for the species of timber.

Unless otherwise stated on the licence, all crown and branch wood is the property of the purchaser of the bole.

Windfall, dead and refuse timber, will be sold at one half of the above rates.

(2) POSTS.

Split posts at the above rates according to their cubic content, stacked measurement.

(3) POLES.

(A) INDIGENOUS SPECIES.

Round poles of protected trees (1st Schedule) when available at the following rates:—

(a) Up to 10 feet in length ...	...	25 cents per pole
(b) From 10 to 15 feet in length ...	...	45 " " "
(c) From 15 to 20 feet in length ...	...	80 " " "
(d) Poles of other trees ...	...	5 " " "

(B) EXOTIC SPECIES.

Roundpoles, when available, at the following rates in addition to a small additional charge to cover the cost of cutting and extracting the poles from the plantations.

(a) Under 2 inches in diameter at the thick end or not exceeding 10 feet in length ...	...	5 cents per pole
(b) Over 2 and under 6 inches in diameter at the thick end and not exceeding 20 feet in length ...	...	10 " " "
(c) Over 2 and under 6 inches in diameter at the thick end and not exceeding 30 feet in length ...	...	15 " " "
(d) Poles over 6 inches in diameter at the thick end or over 30 feet in length will be sold as timber.		

(4) BAMBOOS.

Bamboos under 3 inches diameter at base Re. 1 per 100 or pro rata.
Bamboos over 3 inches diameter at base Rs. 10 per 100 or pro rata.

(5) WITHIES.

Withies, when available, will be sold at the rate of 6 cents per head load.

(6) FIREWOOD.

For the removal of firewood, licences will be granted either per quantity or per time according to circumstances.

QUANTITY LICENCE

Three cents (Rs. 0—03) per stacked cubic foot.
Three rupees (Rs. 3—00) per waggon load.

TIME LICENCE.

Entering forests without axes to remove dead wood per 1 head load, per diem, per month, 50 cents; entering forests with axes to remove dead wood per 1 head load, per diem, per month Re. 1—00.

2. The rules published on the 24th day of January, 1914, and the 20th day of October, 1914, are hereby cancelled.

3. These rules may be cited as the Forest Amendment Rules 1915.

Under the Passport Fees Ordinance, 1904.

Vide Govt. Notice No. 13 of 23.12.24 O.G. of 14.1.25 page 22 & 23

IN PURSUANCE of the powers vested in the Governor under the provisions of the Passport Fees Ordinance, 1904, notice is hereby given that the fees leviable on every passport issued in the Protectorate, on and after the date hereof shall be Rs. 5/- and that all previous notices issued under the aforesaid Ordinance are hereby revoked.

Given under my hand at Nairobi this 9th day of June, 1915.

C. C. BOWRING,

Governor's Deputy.

REGULATIONS**Respecting Passports.**

1. Applications for Protectorate Passports must be made in the form provided for that purpose, and inclosed in a cover addressed to "The Secretariat, Nairobi." Forms may be obtained at the Secretariat or at the Offices of the various Provincial Commissioners.
2. The charge for a Passport is Rs. 5/-. Passports are issued at the Secretariat during office hours to the actual applicant only, who must be accompanied by his wife, if she is included in the Passport. Applicants who do not reside in Nairobi and are unable to attend at the Secretariat in person may send their applications by post enclosing a remittance for the amount due. Passports so granted will be sent to the District Commissioner of the district in which the applicant resides and the latter must attend at the District Commissioner's office to sign the passport and have the particulars under Description inserted. His wife must accompany him if she is included in the passport. Postage stamps will not be accepted in payment of passport fees.
3. Protectorate Passports are granted only:
 - (1) To natural-born British subjects,
 - (2) To the wives and widows of such persons; and
 - (3) To persons naturalized in the United Kingdom, in the British Colonies, or in India.
 - (4) To natives of British Protectorates.

A married woman is deemed to be a subject of the State of which her husband is for the time being a subject.
4. Passports are granted to such persons as are known to the Governor, or recommended to him by some person who is known to him; or
Upon the production of a declaration by the applicant in the form provided for that purpose, verified by a declaration made by any Justice of the Peace, Banker, Minister of Religion, Doctor, Lawyer, or Public Official of the Protectorate. The applicant's Certificate of Birth may also be required.
5. If the applicant for a Passport be a Naturalized British subject, the Certificate of Naturalization must be produced with the Declaration or Letter of Recommendation.
Naturalized British subjects will be described as such in their Passports, which will be issued subject to the necessary qualifications.
6. Every application for a passport must be accompanied by a photograph of the applicant, and one of his wife, if the passport is to include her. The dimensions of the photographs should not exceed those of an ordinary postcard.
7. No member of the applicant's family or household whose age exceeds 16 years can be included in his passport, with the exception of his wife. In all other cases a separate passport is required.
8. Protectorate Passports are not available beyond two years from the date of issue. They may be renewed for four further periods of two years each after which fresh passports must be obtained. The fee for each renewal is Rs. 2/-.
9. Holders of passports should before leaving the Protectorate obtain the *visa* of the Consular representative of any foreign country they may intend to visit.

SECRETARIAT, NAIROBI,

June 16th, 1915.

Passport Regulations.

Paragraph 2 of the Regulations published in the *Official Gazette* of June 16th, 1915, Government Notice No. 107, has been amended to read as follows:—

2. The charge for a Passport is Rs. 5/-. Passports are issued at the Secretariat during Office hours. Applicants who do not reside in Nairobi and are unable to attend at the Secretariat in person may send their applications by post enclosing a remittance for the amount due. Passports so granted will be sent to them at the address given. Postage stamps will not be accepted in payment of passport fees.

GOVERNMENT NOTICE No. 114] RULES.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated the 29th day of June, 1915.

J 248/15 pa
 E. C. BELFIELD,
 Governor.

1. These Rules shall apply to the Township of Nairobi and may be cited as "The Nairobi Township (Motor) Rules, 1915."
2. In these Rules:—
 "Motor Car" includes motor cycle and every description of vehicle propelled by means of mechanism contained within itself other than vehicles constructed for use on specially prepared ways such as railways and tramways.
3. No person shall, within the Township of Nairobi, drive a motor car the exhaust of which is insufficiently silenced and no person driving a motor car within such Township shall use a "cut out."
4. Any person contravening any of the provisions of these Rules shall on conviction be liable to a fine not exceeding Ks. 200/-.

GOVERNMENT NOTICE No. 115]

RULES OF COURT No. 2 OF 1915.

Rules under the Criminal Procedure Ordinance, 1913, No. 6 of 1914.

1. THESE Rules may be cited as Rules of Court (Record of Evidence in High Court) No. 2 of 1915.
2. In all trials before the High Court to which the Criminal Procedure Ordinance, 1913, applies the evidence of each witness shall be taken down by the Judge or under his direction in the manner provided for the taking and recording of evidence by Magistrates in Sections 288 (3) (4), 289, and 290 of the said Ordinance, provided that when the evidence taken down has been given in English Sub-sections (1) and (2) of Section 290 shall not apply unless the Judge otherwise directs.

Mombasa,

June 16th, 1915.

R. W. HAMILTON,
 Chief Justice.

ALBERT EHRHARDT,
 Judge.

GOVERNMENT NOTICE No. 120]

NOTICE.

Confirmation of Ordinances.

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

An Ordinance to supply a further sum of money for the Service of the year ended the 31st of March, 1914 (No. I of 1915).

An Ordinance to amend the Law relating to the Sale of Land by Women (No. V of 1915).

An Ordinance to provide for Censorship of the Press in times of Emergency (No. VI of 1915).

An Ordinance to make provision for the formation of Volunteer Corps in the East Africa Protectorate and for their discipline (No. VII of 1915).

An Ordinance to provide relief from fees payable on the Estates of persons dying from wounds inflicted, accident occurring or disease contracted on active service against an enemy (No. VIII of 1915).

An Ordinance to give in connection with the present war further powers to Courts (No. IX of 1915).

Government Notice No. 86 dated April 21st, 1915, is hereby cancelled.

Nairobi,

June 24th, 1915.

By Command of His Excellency,

C. C. BOWRING,
 Chief Secretary.

Under the Diseases of Animals Ordinance, 1906.

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 for the purposes of the aforesaid Ordinance:—

- “The area bounded by a line commencing at Mile 497/17 on the Uganda Railway
 “and running due North to the nearest point of the river.
 “Thence along the course of the river in an Easterly direction until a large drain
 “is reached.
 “Thence by following such drain due South until a road is reached.
 “Thence in a straight line to Mile 497/11 on the Uganda Railway.
 “Thence along the Uganda Railway in a Westerly direction to the point of
 “commencement.

Given under my hand at Nairobi this 5th day of July, 1915.

H. C. BELFIELD,
Governor.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated the 30th day of June, 1915.

H. C. BELFIELD,
Governor.

1. In these Rules the term “Cycle” shall be held to include bicycles and tricycles other than motor cycles.

2. Every owner or person in possession of a cycle who resides or shall reside or has or shall have his place of business within the Township areas of Naivasha, Nakuru, Eldoret and Ravine, shall on or before the 1st day of January, 1916, or within 15 days of the date when he shall begin to reside or have his place of business within the said areas, or within 15 days of the date when he shall come into possession of such cycle, and thereafter during the month of January in each year cause such cycle to be presented at the District Commissioner's Office in the respective Townships for registration: provided that this rule shall not apply to an unused cycle kept for the purpose of sale by a cycle dealer unless and until such cycle shall be sold or hired out or otherwise used.

3. The District Commissioner shall keep a Register in which he shall enter full particulars of every cycle presented for registration, including the names of the owner and person in possession and the makers of the cycle and its trade number and shall issue to the party presenting such cycle a form of licence on which the said particulars shall be endorsed, which licence shall be personal to the grantee thereof and shall lapse and become of no effect upon his ceasing to be the owner or person in possession of such cycle and shall not be valid after the 31st day of December in the year for which it is issued: provided that the District Commissioner may delay or refuse to issue the licence in respect of any cycle on the ground that it is not fitted with efficient brakes or for any other cause that may seem to them good and sufficient.

4. Every owner or person in possession of a cycle which has been registered under these Rules shall cause a metal ticket painted black on one side and bearing thereon the registration number of the cycle in white figures at least two inches in height, and on the obverse side the trade number of the cycle and the registration number both stamped into the metal, to be attached to the back of the saddle of the cycle, or to some other place to be approved by the District Commissioner, and kept so attached in such manner as to be wholly visible.

Such ticket may be obtained from the District Commissioner on payment of the prescribed fee.

5. Any person who shall, within the respective Townships, ride a cycle required to be registered under these Rules to which a ticket as before prescribed is not attached in the manner required by or under these Rules shall be guilty of an offence, unless it be proved by such person that the person causing the cycle to be registered had at the time of applying for such registration requested the District Commissioner to supply such ticket on payment of the prescribed fee, and that the District Commissioner has failed to supply the same at the date of the commission of the offence.

6. The following fees shall be chargeable by the District Commissioner under these Rules:—

- For each ticket issued.....50 Cents.
- Registration fee.....25 Cents.

7. Any person who shall fail to comply with the requirements of these Rules or shall be guilty of an offence against these Rules shall be liable to a fine not exceeding Rs. 50/- and in default of payment to imprisonment of a term not exceeding 14 days.

8. These Rules shall apply to the Townships of Naivasha, Nakuru, Eldoret and Ravine, and shall be cognisable to the police.

9. The Rules under the aforesaid Ordinance, dated the 23rd day of August, 1910, and applied to the Townships of Naivasha and Nakuru are hereby amended as follows:—

In Schedule I after the words "Registration of Vehicles two wheels" add the words, "other than cycles not propelled by means of self contained mechanism."

10. These Rules may be cited as "The Naivasha Townships Cycle Rules, 1915."

GOVERNMENT NOTICE No. 122] RULES.

Under the Crown Lands Ordinance, 1915.

RULES issued by the Governor-in-Council under section 117 of the Crown Lands Ordinance, 1915.

Nairobi,

Dated the 3rd day of July, 1915.

H. C. BELFIELD,

Governor.

1. Powers of Attorney registrable under Part XI, section 117, of the aforesaid Ordinance, and revocations of such powers, shall be registered in a Special Volume of the Registry kept for the purpose.

2. These Rules may be cited as "The Crown Lands (Registration) Rules, 1915."

GOVERNMENT NOTICE No. 127] RULES.

Under the East Africa Townships Ordinance, 1903.

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

Nairobi,

Dated the 13th day of July, 1915.

revised 25/7/15

H. C. BELFIELD,

part.
Governor.

1. Any infringement of "The Nairobi Township (Motor) Rules, 1915" shall be cognisable by the Police.

PROCLAMATION No. 39] PROCLAMATION.

Under the Forest Ordinance, 1911.

IN PURSUANCE of the powers conferred upon me by section 3 of the Forest Ordinance, 1911, I hereby declare the area hereinafter defined to be a Forest Area for the purposes of the aforesaid Ordinance.

Nairobi,

Dated this 27th day of July, 1915.

H. C. BELFIELD,

Governor.

Nyeri Forest.

Commencing at the South-West corner of farm No. 2275, thence bounded on the North by farms Nos. 2275, 2276 and 2277; thence on the East by farms Nos. 2278 and 2279; thence on the South by farms Nos. 1787, 1786, 1785/1 and Crown Land No. 2725; thence on the West by farms Nos. 2270/2, 1785/2 and again by farm No. 2270/2, and farm No. 2270/1, to the point of commencement.

GOVERNMENT NOTICE No. 134] RULES.

Under the Indian Post Office Act, 1898.

ISSUED by His Excellency the Governor under the Provisions of the Indian Post Office Act, 1898.

Nairobi,

Dated July 29th, 1915.

H. C. BELFIELD,

Governor.

Blind Literature Post.

1. Papers of any kind, periodicals, and books, impressed in "Braille" or other special type for the use of the blind may be sent (provided they are prepaid by means of adhesive postage stamps of the East Africa and Uganda Protectorates) by post from this Protectorate to places in the United Kingdom.

Rates of Postage.

2. There shall be charged and paid on these packages the following rates, that is to say:—

On every such package not exceeding two ounces in weight	... 3 cents.
On every such package exceeding two ounces in weight for every two ounces or fractional part of two ounces up to twenty ounces	... 3 cents.
On every such package exceeding twenty ounces in weight and not exceeding six pounds	... 30 cents.

Any such package if posted insufficiently prepaid will be charged with double the deficiency.

General Conditions.

3. To be entitled to transmission by this Post a packet must:—

- (a) consist only of articles specially impressed as described in Rule 1, for the use of the blind, and may not contain any communication either in writing or printed in ordinary type, except the title and table of the contents of the book or periodical, and any key to, or instructions for, the use of the special type, or any enclosure except a label for the return of the packet.
- (b) bear on the outside the inscription "Literature for the Blind" and the written or printed name and address of the sender.
- (c) be posted either without a cover, or in an unfastened envelope, or in a cover open at both ends, and in every case such band, envelope or cover as may be used shall be easily removable for the purpose of examination without breaking any seal or tearing any paper or separating any adhering surface.
- (d) not contain anything sealed or otherwise closed against inspection.
- (e) not exceeding 2 ft. in length or 1 ft. in width or depth.
- (f) not exceed 6 lbs. in weight.

4. If any of the foregoing conditions be infringed the package (unless it is eligible for transmission at the rate of postage applicable to "Printed Papers") will be detained and returned or given up to the sender thereof.

GOVERNMENT NOTICE No. 135] REGULATIONS.

VP 43

Under the Mining Ordinance, 1912.

ISSUED by the Governor in exercise of the powers conferred upon him in that behalf by the Mining Ordinance, 1912, Section 73.

Nairobi,

Dated this 27th day of July, 1915.

H. C. BELFIELD,

Governor.

1. These Regulations may be cited as "The Mining Amendment Regulations, 1915."
2. In Regulations 93, 123 and 129 of the Mining Regulations, 1912, the words "not exceeding ten per cent on the net profits" are hereby deleted.
3. The royalty payable under a mineral lease for mining mica shall be 5 per cent on such sum as the Commissioner of Mines may from time to time assess as the local average value of mica. Provided that in any case in which the person paying such royalty can prove by properly authenticated vouchers that the assessed value on which such royalty was paid is in excess of the actual price realised from the sale of the mica on which such royalty was paid after deducting from such sale value the cost of transport from the mine to the place of sale the Commissioner of Mines shall refund the difference between the royalty charged and 5 per cent on such sale value after the aforesaid deduction has been made. Any claim to a refund under this Regulation shall be made within six months from the date of despatch of the mica from Mombasa.

GOVERNMENT NOTICE No. 147] ORDER.

ORDER made by His Excellency the Governor under the powers conferred by the Fees and Royalties Ordinance, 1903.

Nairobi, dated this 14th day of August, 1915.

H. C. BELFIELD, *Governor*.

On and after the 1st day of September, 1915, there shall be levied under the Fees and Royalties Ordinance, 1903, the royalty following:—

Royalty on stone quarried at the Govern- ment Quarry, Malindi	Rs. 1/50 for each 100 cubic feet quarried or 50 cents for 160 stones.
---	--

GOVERNMENT NOTICE No. 153] NOTICE.

DOWNING STREET,

16th July, 1915.

Sir,

I have the honour to inform you that it has been brought to my notice that since the outbreak of war officers holding appointments in the Colonial Service have, in several instances, tendered their resignation of their appointments without previous enquiry as to whether they could be permitted to do so, and have even refused to return to their duties after it had been made clear to them that the exigencies of the public service made it impossible that their resignations should be accepted.

2. I have reasons to believe that some members of the Colonial Service hold the view that it is open to servants of the Crown to tender their resignations and relinquish their appointments whenever it may suit their convenience to do so. Such views are entirely erroneous. No servant of the Crown is at liberty to resign his appointment except by permission of the Crown, and this should be clearly understood by every member of the Colonial Service.

3. I recognise that such resignations as have been tendered since the outbreak of hostilities by officers without first obtaining permission to do so have usually been prompted by a patriotic wish to serve the Empire in some capacity directly connected with the war. It is not, however, for the individual officer to decide in what capacity he can best serve His Majesty the King. As, moreover, such conduct, far from assisting, may cause most serious detriment to the public service, especially at such a time as the present, I am compelled to regard it as a grave dereliction of duty which cannot be excused.

4. In his circular despatch of 31st August, 1914, my predecessor informed you of the liberal conditions as to pay which were to be granted here to Civil Servants joining the colours, and I am well aware of the readiness which you have shown to allow every officer who could possibly be spared to join His Majesty's Forces. I am confident that you will maintain the same attitude; but the administration cannot be allowed to fall into confusion through lack of officers to carry on the work that is absolutely necessary in the public interest.

5. It must, therefore be understood that, should any member of the Colonial Service hereafter resign his post without permission, he will be treated as absent from duty without leave, and will be gazetted as dismissed from the service, with the result that he will be debarred from further employment under the Crown in any capacity, civil or Military.

6. I request that you will cause this despatch to be published in the Protectorate under your Government.

I have the honour to be,

Sir,

Your most obedient humble servant,

A. BONAR LAW.

The Officer Adminstrating
the Government of the
East Africa Protectorate.

GOVERNMENT NOTICE No. 154] RULES.

Under the East Africa Townships Ordinance, 1903.

ISSUED by His Excellency the Governor under the provisions of the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 19th day of August, 1915.

H. C. BELFIELD,

Governor.

Rule 3 of the Nairobi Township Rules No. 1 of 1914, (Government Notice No. 193 of 1914) is hereby repealed and the following Rule is hereby substituted therefor.

With regard to the service of every order or notice which the Town Clerk or Medical Officer of Health is authorised to give or issue under any Rules made or which may hereafter be made under the East Africa Township Ordinance, 1903, the following provisions shall apply.

- (1) Such order or notice shall if practicable be served personally upon the person to whom it is addressed by delivering to him a true copy thereof and showing him the original and every person upon whom an order or notice is so served shall sign a receipt therefor upon the original if so required by the serving officer.
- (2) When the addressee cannot by the exercise of due diligence be found the order or notice may be served by leaving a true copy thereof with some adult male member of his family or household and the person with whom the same is so left shall if so required by the serving officer, and unless illiterate, sign a receipt therefor on the original order or notice.
- (3) If service as above provided for cannot by the exercise of due diligence be effected, the serving officer may (1) affix a copy of the order or notice to some conspicuous part of the house in which the addressee ordinarily resides; or if the order or notice is made in respect of any house, building, premises or area he may affix a copy of such order or notice on a conspicuous part of the house, building, premises or area and in addition (2) send a copy of the order or notice by registered letter posted to the addressee's last known place of abode: and thereupon the order or notice shall be deemed to have been duly served.

2. These Rules may be cited as "The Nairobi Township (Service of Notices) Amendment Rules, 1915."

GOVERNMENT NOTICE No. 155] NOTICE.

East Africa Volunteer Reserve.

NOTICE OF DISBANDMENT.

IN VIEW of the fact that the majority of the members of the East Africa Volunteer Reserve are serving in other corps or units His Excellency the Governor has deemed it expedient to exercise the power conferred upon him by Section 30 of the East Africa Volunteer Reserve Ordinance, 1910, and has ordered on the 18th day of August, 1915, that the Volunteer Reserve be disbanded. The Volunteer Reserve is accordingly disbanded from such date.

By Order

Nairobi,

Dated this 19th day of August, 1915.

C. C. BOWRING

Chief Secretary.

GOVERNMENT NOTICE No. 158] NOTICE.

Confirmation of Ordinances.

The Right Honourable the Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

An Ordinance to amend the Forest Ordinance, 1911, for the purposes of making Provision for the Enlistment and Conditions of Service of Forest Guards (No. XVI of 1915).

An Ordinance to amend the Mining Ordinance, 1912, (No. XIX of 1915).

An Ordinance to amend the Customs Tariff Ordinance, 1909 (No. XX 1915).

By Command of His Excellency.

Nairobi,

August, 24th, 1915.

C. C. BOWRING,

Chief Secretary.

PROCLAMATION No. 42]

PROCLAMATION.

Under the Outlying Districts Ordinance, 1902.

IN EXERCISE of the powers conferred upon me under the East Africa Outlying Districts Ordinance, 1902, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the East Africa Protectorate do hereby declare the trade centre and the trade road mentioned in the Schedule hereto attached and which are located in the Province of Kenya to be excluded from the provisions of the above noted Ordinance.

Nairobi,

Dated this 27th day of August, 1915.

H. C. BELFIELD,

*Governor.***Schedule.**

I. TRADE CENTRE.

Name.	Situation.	Area.
Mugo	Emberre	Approximately 3 acres.

II. TRADE ROAD.

Name.	Division through which road passes.	Extent.
Embu-Emberre Road	Emberre.	About 24 miles.

GOVERNMENT NOTICE No. 165]

NOTICE.

Confirmation of Ordinances.

The Right Honourable the Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

An Ordinance to make further and better provision for Regulating the Leasing and other disposal of Crown Lands, and for other purposes (No. XII of 1915).

An Ordinance for the Control of Motor Traffic on Public Thoroughfares (No. XIV of 1915).

An Ordinance to amend the British and Colonial Probates Ordinance, 1914 (No. XVIII of 1915.)

By Command of His Excellency.

Nairobi,

August 31st, 1915.

C. C. BOWRING,

Chief Secretary.

GOVERNMENT NOTICE No. 167]

RULES.

Under the East Africa Townships Ordinance, 1903.

ISSUED by His Excellency the Governor under the provisions of the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 4th day of September, 1915.

H. C. BELFIELD,

Governor.

1. These Rules shall apply to the township of Nairobi and may be cited as "Nairobi Township Dustbins Rules, 1915".

2. The occupier of any building or premises shall provide and maintain to the satisfaction of the Town Clerk a receptacle for ashes and other non liquid domestic refuse of a sufficient size, of a capacity not more in any case than 6 cubic feet, of an approved pattern and fitted with a good and efficient lid. Provided that in the case of any house occupied by more tenants than one the owner shall be deemed to be the occupier for the purposes of these Rules.

3. The occupier of any building or premises shall daily cause to be placed within the dustbin provided in terms of the foregoing Rule the domestic refuse from the said building or premises in so far as such dustbin shall be sufficient to contain the same, and shall cause such dustbin to be placed and kept upon approved place on the plot or subplot upon which such building or premises stand and shall make and keep such dustbin accessible to the Municipal Sweepers during the whole period between 9 a.m. and 2 p.m. on Saturdays and between 9 a.m. and 5 p.m. on other days. For the purposes of this Rule premises not occupied for human habitation shall not be deemed to be occupied on any day in which they are not actually occupied after the hour of 4 p.m.

4. If a nuisance shall exist upon or near any premises by reason of domestic or trade refuse produced thereon or proceeding therefrom, the Town Clerk shall serve upon the occupier of such premises a notice in writing requiring him to remove the nuisance within such period as may be specified in the notice, and to prevent its recurrence: and if after the expiry of notice as aforesaid such nuisance shall continue or shall by act default or sufferance of the person upon whom such notice shall have been served recur, such person unless he shall have ceased to be the occupier of the premises shall be guilty of an offence.

5. Any person contravening or failing to comply with any of the provisions of these Rules shall be guilty of an offence and shall be liable on conviction to a fine not exceeding Rs. 200/- and in default of payment thereof to a period of imprisonment not exceeding 2 months.

6. The Township Rules dated 7th December, 1912, are hereby repealed.

GOVERNMENT NOTICE No. 168]

NOTICE.

Confirmation of Ordinances.

The Right Honourable the Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

**An Ordinance to amend the Law Relating to Lunacy.
(No. XVII of 1915).**

**An Ordinance for the Improvement and Regulation of the Coconut
Planting Industry. (No. XXI of 1915).**

**An Ordinance to Regulate the Sale of Native Intoxicating Liquors.
(No. XXII of 1915).**

By Command of His Excellency.

Nairobi,
September 6th, 1915.

C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 175]

RULES.

Under the Crown Lands Ordinance, 1915.

RULES issued by the Governor-in-Council under Section No. 158 of the Crown Lands Ordinance, 1915.

Nairobi,
Dated the 13th day of September, 1915.

H. C. BELFIELD,
Governor.

1. A charge of Rs. 5/- shall be made for a temporary occupation licence granted to a European or Asiatic.
2. A charge of Re. 1/- shall be made for a temporary occupation licence granted to a Native.
3. An applicant for a temporary occupation licence shall deposit with his application the cost of the licence as provided by these Rules.
4. All sums deposited in pursuance of these Rules shall be dealt with in manner following:—
 - (a) if the application is refused, the sum deposited shall be refunded to the applicant.
 - (b) if the applicant shall withdraw his application, or shall refuse or neglect to execute or accept the licence when called upon to do so, and in every other case not hereinbefore provided for the sum deposited shall be forfeited to the Crown and applied to the revenues of the Protectorate.
5. These Rules may be cited as "The Crown Lands Rules, No. 1 of 1915".

GOVERNMENT NOTICE No. 194] NOTICE.

Under the Diseases of Animals Ordinance, 1906.

The following amendment to the Schedule attached to Rules issued on 11th March, 1912, p. 169 *Official Gazette* 15th March, 1912, is notified for general information:—

DIPPING AND DISINFECTING CHARGES.

	Rs	Cts
Cattle	00	06 per head

GOVERNMENT NOTICE No. 201] NOTICE.

Under the Fugitive Criminals Surrender Ordinance, 1908.

IT IS hereby notified for general information that under and by virtue of the powers conferred upon me by Section 2 of the Fugitive Criminals Surrender Ordinance, 1908, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, do hereby direct that the aforesaid Ordinance shall apply in the case of the territories of the Republic of Guatemala during the continuance of the arrangement made between His Majesty the King and the Rulers of the said Republic and contained in the Treaty of Extradition of 1885, as modified by the Protocol dated the 30th day of May, 1914, relating to the Extradition of Fugitive Criminals.

The notice dated the 16th day of December, 1908, is hereby amended in the above sense. Given under my hand at Nairobi this 6th day of October, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOVERNMENT NOTICE No. 206] RULES.

Under the Forest Ordinance, 1911.

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

Nairobi,

Dated this 14th day of October, 1915.

C. C. BOWRING,
Governor's Deputy.

The rules dated the fourth June, 1915, are amended by the addition of the following forest produce to the First Schedule to such rules. p 22 & 35

Mangrove Bark
Mchu (*Avicennia officinalis*) leaves.

The following royalty shall be payable for Mangrove Bark and Mchu leaves.
6 cents (Rs. 0—06) per head load.

PROCLAMATION No. 52] PROCLAMATION.

Under the Diseases of Animals Amendment Ordinance, 1906.

IN EXERCISE of the powers conferred upon me by the Diseases of Animals Amendment Ordinance, 1906, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare that trypanosomiasis be included in the definition of disease for the purpose of the Diseases of Animals Ordinance, 1906.

Given under my hand at Nairobi this 28th day of October, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOVERNMENT NOTICE No. 218] RULES.

Under the Prevention of Cruelty to Animals Ordinance, 1913.

RULES issued by His Excellency the Governor under the Prevention of Cruelty to Animals Ordinance, 1913.

Nairobi,

Dated the 1st day of November, 1915.

H. C. BELFIELD,

Governor.

1. In these Rules the expression "District Commissioner" shall include an Assistant District Commissioner.

2. (1) No animals shall be placed or allowed to be placed on board any ship or vessel sailing from any East Africa Port unless a Government Veterinary Officer, or where there is no such Officer, then a District Commissioner or the Port Officer shall have granted a certificate to the master of the ship or vessel certifying that a sufficient quantity of fit and wholesome food and water has been placed on board to provide and supply such animals during the period of the voyage.

(2) The certificate shall also specify the port, or ports of destination to which the ship or vessel is bound, the total number and description of animals embarked, and also the number and description of animals to be disembarked at each port of destination, if more than one, and no animal, except from unavoidable cause, shall be carried beyond such port of destination.

3. The minimum quantity of food and water required per head per diem shall be :—

Horses	12 lbs. hay	4 lbs. grain	and 5 Gallons water.
Camels	20 " "	4 " "	" 10 " "
Cattle	15 " "	" "	" 5 " "
Sheep and Goats	2 " "	" "	" 1 " "
Donkeys	10 " "	" "	" 4 " "

A sufficient quantity of buckets or troughs for feeding and watering shall be carried.

4. There shall be sufficient spacing allowed on board each ship or vessel to enable the animals shipped thereon being properly fed and watered.

5. No ship or vessel shall be overcrowded in any part so as to cause injury or unnecessary suffering to any animal shipped thereon.

6. If any animal on board a ship or vessel is seriously injured, the master of the ship or vessel shall forthwith cause such animal to be destroyed unless he is satisfied that it can be kept alive and disembarked without cruelty.

7. On arrival at a port of destination the master of the ship or vessel shall immediately proceed to the Port Officer or in the absence of a Port Officer, to the District Commissioner and present the certificate provided for by Rule 2, and before proceeding to disembark the animals, the Port Officer or District Commissioner, as the case may be, shall check, or shall cause to be checked, the number and description of the animals on board the ship or vessel against the certificate.

8. Any master arriving at a port with a number of animals in excess of that indicated on the certificate shall unless their presence can be explained to the satisfaction of the Port Officer or District Commissioner, as the case may be, be fined Rs. 5/- for each animal so found in excess.

9. The master of any ship or vessel shall at all times when called upon by a Government Veterinary Officer, District Commissioner or Port Officer, produce any certificate provided for by Rule 2 and in his possession for inspection.

10. The master of every ship or vessel shall be responsible for the due observance of these rules, and any person committing or abetting a breach thereof, or resisting or obstructing any officer in the execution of his duty in relation thereto shall be liable upon conviction to a fine not exceeding Rs. 300/- or to imprisonment of either description for any term not exceeding 6 months or to both.

11. These Rules may be cited as "The Cruelty to Animals at Sea Rules, 1915."

GOVERNMENT NOTICE No. 224] RULES.

Under the Forest Ordinance, 1911.

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

Nairobi,

Dated this 8th day of November, 1915.

H. C. BELFIELD,

Governor.

1. The rules dated the fourth day of June, 1915, are amended by the addition of the following forest produce to the First Schedule to such rules. p 22

Mangrove Bark
Mchu (*Avicennia officinalis*) leaves.

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

- | | | | | | |
|---|-----|-----|-----|------|---------------|
| (1) Round Timber | | | | | |
| (a) For Boriti | | | | | |
| (i) Not exceeding 18 feet in length | ... | ... | Rs. | 1-25 | per Korja |
| (ii) Exceeding 18 feet in length | ... | ... | " | 1-50 | " " |
| (b) For Mkombomoyo | ... | ... | " | 0-75 | " " |
| (c) For Pau | ... | ... | " | 0-75 | " " |
| (d) For Mzio | ... | ... | " | 0-75 | " " |
| (e) For Nguzo | ... | ... | " | 0-50 | each |
| (f) For Fitu | ... | ... | " | 0-06 | per head load |
| (2) Firewood | | | | | |
| (a) From the creeks in Port Reitz, Port Tudor and Mtwapa, two cents per stacked cubic foot. | | | | | |
| (b) From all other creeks, one cent per stacked cubic foot | | | | | |
| (3) Mangrove Bark, six cents per head load. | | | | | |
| (4) Mchu leaves, six cents per head load. | | | | | |

3. The Rules published on the 26th day of January, 1914, and the 14th day of October 1915, are hereby cancelled.

GOVERNMENT NOTICE No. 225] NOTICE.

The Motor Traffic Ordinance, 1915.

I, HENRY CONWAY BELFIELD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, in exercise of the powers conferred upon me by Section 1 of the Motor Traffic Ordinance, 1915, hereby give notice that the said Motor Traffic Ordinance, 1915, shall come into force on the 10th day of November, 1915,

GIVEN under my hand at Nairobi this 5th day of November, 1915.

H. C. BELFIELD,

Governor and Commander-in-Chief.

GOVERNMENT NOTICE No. 231] RULES. (LXII)

Section 11 - Repealed & Substituted - Vide Govt. Notice No 77 of 16-3-1925 O.G. 2/18-3-25 page 207 to 209.

Under the Motor Traffic Ordinance, 1915.

ISSUED by the Governor-in-Council under the Motor Traffic Ordinance, 1915.

Nairobi.

Dated this 10th day of November, 1915.

H. CONWAY BELFIELD,

Governor and Commander-in-Chief.

1. These Rules may be cited as "the Motor Traffic Rules, 1915."
2. The marks required to be fixed on every licensed motor-car and carriage by the Motor Traffic Ordinance, 1915, Section 10, shall be fixed by the Licensee at his own expense in the following manner:—
 - (1) On motor cycles:—
 - (a) a plate, which complies with these rules, shall be fixed on the front mud-guard in the same plane as the wheel in such a manner that the front lamp illuminates the letters and number on both sides of the plate, and
 - (b) a plate, which complies with these rules, shall be fixed on the back in such a manner that the letters and number are clearly discernible from behind the cycle.

(2) On motor cars:—

- (a) a plate, which complies with these rules, shall be fixed on the front elevation of the car in such a manner that the letters and number are clearly discernible from in front of the car and
- (b) a plate, which complies with these rules, shall be fixed on the back elevation of the car in such a manner that the letters and number are clearly discernible behind the car.

(3) On carriages, a plate which complies with these rules, shall be fixed to the back elevation in such a manner that the letters and number are clearly discernible from behind the carriage.

Provided that a general identification mark issued under Section 10 (5) of the aforesaid Ordinance may be suspended and not fixed.

3. Each plate shall be rectangular provided that a licensing officer may in the case of motor cycles permit other than a rectangular plate to be used and each plate shall bear upon it the number of the licence and a letter or letters indicating the place where the licence is issued, the number and letter being arranged in conformity with the arrangement of the letter and figures shown on one or other of the alternative diagrams given in the Schedule hereto.

The plate to be fixed on the front mud guard of a motor cycle shall bear the number and letter on both sides of it.

4. The two plates required on motor cycles and motor cars may at the option of the licensee be of either of the shapes shown in the alternative diagrams, or one of one shape and one of the other. Provided that in the case of motor cycles the licensing officer may permit plates which do not conform to either of the aforesaid shapes to be used.

5. The ground of the plate shall be black and the letters and figures shall be white, except in the case of a general identification mark when the ground of the plate shall be white and the letters and figures shall be red.

6. All letters and figures on any plate fixed to a motor-car or carriage shall be not less than ~~two~~ ^{one} and-a-half inches high and on any plate fixed to a motor-cycle shall be not less than 2 inches high; every part of every letter and figure shall be at least one-third of an inch broad; and the total width of the space taken by every letter or figure except in the case of the figure 1, shall be at least one and three-quarter inches.

7. The space between adjoining letters and adjoining figures shall be half an inch and there shall be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least half an inch, and between the nearest part of any letter or figure and the sides of the plate of at least one inch.

8. In the alternative diagram No. 1, the space between the upper and lower line shall be three-quarters of an inch.

In the alternative diagram No. 2, the space between the letters and the figures shall be one-and-a-half inches.

9. Every plate shall be fixed the right way up and shall not be in any way obscured or rendered or allowed to become not easily distinguishable.

10. The licensing officer may, if he think fit, allow the letters and number to be painted on a part of the motor cycle, motor car or carriage itself instead of on a plate fixed to the motor cycle, motor car or carriage, provided that a part of the motor cycle, motor car or carriage is painted black so as to resemble a plate complying with these rules and the letters and figures are painted on such part in such a manner as to be clearly discernible and that in all other particulars these rules are complied with.

11. ~~Between sunset and sunrise,~~

- (1) ~~every motor-cycle when in motion shall carry at least one light so fixed as to illuminate both sides of the plate required by these rules to be fixed to the front mud-guard;~~
- (2) every motor-car when in motion shall carry:—
- (a) at least one efficient light fixed on the off-side of the car and throwing its rays forward and
- (b) a rear-light so fixed as to illuminate the plate required by these rules to be fixed to the back elevation of the car;
- (3) every carriage when in motion shall carry a rear-light so fixed as to illuminate the plate required by these rules to be fixed to the back elevation of the carriage; provided that when two or more carriages are drawn one behind another by a motor-car the rear carriage only shall be required to carry a light;
- (4) every motor-cycle, motor-car and carriage when stationary shall carry a light or ~~lights so fixed as to be visible to traffic approaching from either direction.~~

12. The following marks shall indicate where the licence has been issued:—

- A. Place of issue Mombasa.
- B. " " " Nairobi.
- C. " " " Nakuru.
- D. " " " Londiani.
- E. " " " Kisumu.
- F. " " " Eldoret.
- G. " " " Nyeri.
- H. " " " Kismayu.

13. Every Government motor-car shall bear on its identification plates the letters "O.H.M.S." and the number of the licence issued to such car.

p158/16

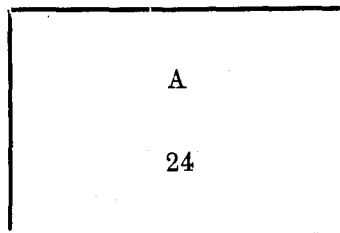
*Repealed and
Substituted.*

*Vide Govt. Notice
No 77 of 14.3.1925*

O.G. 8/18.3.25 p.207 & 209.

Schedule.

Alternative Diagram No. 1:—



Alternative Diagram No. 2:—

**GOVERNMENT NOTICE No. 232] NOTICE.****Under the Motor Traffic Ordinance, 1915.**

BY virtue of the powers conferred upon me by the Interpretation and General Clauses Ordinance, 1912, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby depute the person holding the office of Commissioner of Police for the time being to exercise the power of appointing Licensing Officers and Certifying Officers provided by Sections 4 and 11 of the Motor Traffic Ordinance, 1915.

Given under my hand at Nairobi the tenth day of November, 1915.

H. CONWAY BELFIELD,
Governor and Commander-in-Chief.

GOVERNMENT NOTICE No. 233] NOTICE.**Under the Motor Traffic Ordinance, 1915.****F E E S .**

NOTICE is hereby given that in exercise of the powers conferred by the Motor Traffic Ordinance, 1915, Section 9, the fees in the Schedule annexed hereto have been prescribed by the Governor-in-Council.

Nairobi,

The 10th day of November, 1915.

By Order
C. C. BOWRING,
Chief Secretary.

*Altered as
from the 1st Aug
1920 - see O.G.*

Schedule.

	Rs. C.
(1) Licences per annum.	
(a) For a motor cycle	5 00
(b) For a passenger motor car with rubber tyres, other than a motor cycle, constructed to carry not more than five persons including the driver, the tare whereof	
(a) does not exceed 15 cwt.	15 00
(b) exceeds 15 cwt. but does not exceed 30 cwt.	30 00
(c) For a passenger motor car without rubber tyres, constructed to carry not more than five persons including the driver whereof the tare does not exceed 15 cwt.	45 00
(d) For any other motor car the weight whereof does not exceed 30 cwt.	
(a) with rubber tyres	60 00
(b) without rubber tyres	75 00
(e) For a motor car the weight whereof exceeds 30 cwt. but does not exceed 7 tons:	
(a) with rubber tyres	75 00
(b) without rubber tyres	100 00
(f) For a motor car the weight whereof exceeds 7 tons	400 00
(g) For a carriage	15 00
(2) For licences for half a year	Half the above rates.
(3) For certificates of competency	15 00
(4) For identification marks issued under Section 10 (3), each	5 00
(5) For a general identification mark issued under Section 10 (5) of the Ordinance annually	30 00

Under the Foreign Marriages Order-in-Council, 1913.

At the Court at *Windsor Castle*, the 22nd day of *November*, 1913.

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY.

EARL SPENCER.
LORD STAMFORDHAM.
LORD EMMOTT.

WHEREAS by "The Foreign Marriage Act, 1892," His Majesty the King in Council is authorized to make Regulations for the purposes therein specified:

And whereas the provisions of Section 1 of "The Rules Publication Act, 1893," have been complied with in respect of the Regulations hereinafter set forth:

Now, therefore, His Majesty, by virtue and in exercise of the powers conferred by "The Foreign Marriage Act, 1892," or otherwise enabling Him in this behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) Where a marriage according to the local law of a foreign country is valid by English law, then before the marriage is solemnized in that country under the Foreign Marriage Act the marriage officer must be satisfied either—

- (a) That both the parties are British subjects; or
- (b) If only one of the parties is a British subject, that the other is not a subject or citizen of the country; or
- (c) If one of the parties is a British subject and the other a subject or citizen of the country, that sufficient facilities do not exist for the solemnization of the marriage in the foreign country in accordance with the law of that country; or
- (d) If the man about to be married is a British subject and the woman a subject or citizen of the country, that no objection will be taken by the authorities of the country to the solemnization of the marriage under the Foreign Marriage Act.

(2) If a marriage officer, by reason of anything in this article, refuses to solemnize or allow to be solemnized in his presence the marriage of any person requiring such marriage to be solemnized, that person shall have the same right of appeal to a Secretary of State as is given by section 5 of the Foreign Marriage Act.

2. In the case of any marriage under the Foreign Marriage Act, if it appears to the marriage officer that the woman about to be married is a British subject, and that the man is a foreigner, he must be satisfied—

- (a) That the marriage will be recognized by the law of the country to which the foreigner belongs; or
- (b) That some other marriage ceremony, in addition to that under the Foreign Marriage Act, has taken place, or is about to take place, between the parties, and that such other ceremony is recognized by the law of the country to which the foreigner belongs; or
- (c) That the leave of the Secretary of State has been obtained.

3. For the purpose of the Foreign Marriage Act and these Regulations, the house in which a British Ambassador resides in the foreign country to the Government of which he is accredited, or which is occupied by him in that country for the purposes of his embassy, shall be deemed to be the official house of such Ambassador, and is in these Regulations referred to as the embassy house, and every place within the precincts or curtilage of any such house, and any church or chapel annexed to such house, or for the time being used with the consent of the Government to which the Ambassador is accredited as the chapel thereof, shall be deemed to form part of the embassy house.

For the purpose of marriages in an embassy house, the expression "office," when used with respect to the place where any act or thing shall or may be done, shall be construed to refer to such part of the embassy house as the Ambassador may from time to time appoint as being sufficiently accessible to the public.

4. The person before and by whom a marriage under the Foreign Marriage Act may be solemnized and registered in an embassy house in a foreign country shall either be the Ambassador or any member of the diplomatic service not below the rank of secretary, who is attached to the embassy, and who is from time to time appointed for the purpose in writing by the Ambassador; and for the purpose of marriages solemnized in such embassy house, such Ambassador or member of the diplomatic service shall, without any marriage warrant, be a marriage officer.

5. Where a marriage can be solemnized at a British consulate in a foreign country, the leave of the Ambassador shall be obtained before the marriage is solemnized in the embassy house in that country.

6. For the purpose of marriages to be solemnized by or before a consular officer who is a marriage officer, every place within the curtilage or precincts of the house in which such officer is for the time being resident, or of the building which is for the time being used for the purpose of his office, shall be part of the official house of such marriage officer, and every place to which the public have ordinary access in such official house shall be deemed to be part of the office of such marriage officer.

7.—(1) The modifications contained in articles 8 to 17 of these Regulations of the requirements of the Foreign Marriage Act as to residence and notice shall have effect in cases where both parties have not dwelt within the district of the marriage officer by or before whom the intended marriage is to be solemnized.

(2) Where the provisions of these Regulations as to residence and notice have been complied with, or where the permission of the Secretary of State has been given, the marriage may be solemnized under the said Act in the official house of a marriage officer.

8. Where one party only has resided for a period of not less than one week within the district of the marriage officer by or before whom the intended marriage is to be solemnized, notice shall be given by that party to such marriage officer. The notice shall state the particulars, and be in the form given in Form No. 1 of the Schedule to this Order.

9. If the non-resident party has dwelt in a place in the United Kingdom, notice shall be given by that party in like manner and on payment of the like fee as if that party were about to be married in that place, and in England or Ireland shall be given to the Superintendent Registrar or Registrar, and in Scotland shall be given by proclamation of banns; and the Superintendent Registrar or Registrar shall deal with the notice and give a certificate for marriage in like manner and on payment of the like fee as in the case of a marriage in his district: and the Session Clerk of the parish in which the banns were proclaimed in Scotland shall, in like manner and on payment of the like fee as in the case of a marriage in his district, give a certificate of proclamation of such banns.

10. If the non-resident party has dwelt in any part of His Majesty's dominions outside the British Islands, notice shall be given by that party—

(a) In accordance with any law of that part of His Majesty's dominions or, in the case of India, of the Governor-General of India in Council, as the case may be, giving effect to these Regulations, or to any repealed or future Order in Council under the Foreign Marriage Act; or

(b) In like manner as if the party were about to be married in that place; and a certificate by the marriage registrar or other like officer, of the giving of such notice, shall be obtained by such party, subject always to the law in force permitting of such notice being given and to the said officer being empowered to issue such certificate.

11. A law enacted by the Governor-General of India in Council or by the Parliament or Legislature of any part of His Majesty's dominions outside the British Islands other than British India shall be deemed to give effect to these Regulations or to any repealed or future Order in Council under the Foreign Marriage Act if it makes provision (in whatever terms expressed) as follows:—

(1) That a notice of a marriage intended to be solemnized under the Foreign Marriage Act may be given by one of the parties intending such marriage who has had his or her usual place of abode for a period of not less than one week immediately preceding in some place in India or in such part of His Majesty's dominions (as the case may be) to such marriage registrar or other officer as may be designated by the law in this behalf;

(2) That such notice shall be published either by proclamation of banns or in such other manner as the law may provide; and

(3) That such marriage registrar or other officer, unless he is aware of any impediment or objection which should obstruct the solemnization of the marriage, shall, on payment of such fee, if any, as the law may provide, give a certificate that the said notice has been so given and published as aforesaid.

12. If the non-resident party has dwelt in the district of a marriage officer in a foreign country, notice shall be given by that party and entered and posted up by the marriage officer in the manner and during the period provided by the Foreign Marriage Act, in like manner as if the marriage were to be solemnized by or before such marriage officer, and such marriage officer shall, on payment of the proper fee, give a certificate that the notice has been so given and posted up, and that he is unaware of any impediment which should obstruct the solemnization of the marriage.

13. If the place in a foreign country at which the non-resident party has dwelt is not within the district of a marriage officer, the notice to be given by that party may be given to any person authorized by the Secretary of State to receive such notices; and such person may receive, enter, and post up such notice and give a certificate that the notice has been so given and posted up and that he is unaware of any impediment, as if he were a marriage officer.

14. Where neither party has resided for a period of not less than one week within the district of the marriage officer by or before whom the intended marriage is to be solemnized and (a) the marriage cannot conveniently be solemnized under the Foreign Marriage Act at the place where either of the parties has had his or her usual place of abode, or (b) the permission of the Secretary of State has been obtained, notice shall be given by each of the parties in the place where he or she has had his or her usual place of abode for a period of not less than one week immediately preceding the giving of such notice in the manner provided by articles 9-13 of these Regulations and a certificate of the giving of such notice shall be obtained, and one of the parties shall give or transmit to the marriage officer by or before whom the marriage is to be solemnized a notice stating the particulars and in the form given in Form No. 1 of the Schedule to these Regulations, and the marriage officer, if satisfied that the marriage cannot conveniently be solemnized under the Foreign Marriage Act at the place where either of the parties has had his or her usual place of abode or that the permission of the Secretary of State has been obtained, may accept the notice as if both parties had been resident within his district.

15. Where the Secretary of State is satisfied that for some good cause a party to an intended marriage has not been able to comply with the requirements of these Regulations as to notice, and is satisfied that the intended marriage is not clandestine, and that adequate notice has been given, he may give permission for the intended marriage to be solemnized.

16. In cases falling under articles 8 to 15 of these Regulations the oath, affirmation or declaration under section 7 of the Foreign Marriage Act shall in addition to the matters specified in sub-sections (a) and (c) of that section state the place where each of the parties has had his or her usual place of abode, and the notice, if any, which has been given in that place, or to the marriage officer.

17. At or before the time when a non-resident party appears before the marriage officer and makes the oath under section 7 of the Foreign Marriage Act, he or she shall, unless the marriage is solemnized with the permission of the Secretary of State, give or transmit to the marriage officer the certificate that the notice prescribed by these Regulations has been given at the place where such party has had his or her usual place of abode.

18.—(1) A marriage solemnized in accordance with the local law of a foreign country shall not be registered under section 18 of the Foreign Marriage Act, except by a consular officer, who is a marriage officer, or is for the time being authorized by the Secretary of State to register such marriages.

(2) A consular officer shall not be required to satisfy himself by personal attendance that a marriage has been duly solemnized in accordance with the local law unless the marriage is solemnized at the place where he is appointed to reside, or unless the proper fee has been previously paid to him.

(3) The consular officer shall forthwith, after he has by personal attendance satisfied himself as to the solemnization of the marriage, register the marriage in duplicate in books furnished to him for the purpose by the Registrar-General through a Secretary of State separate from any register books provided for marriages solemnized by him, and shall register the same in accordance with section 9 of the Foreign Marriage Act, save that if the person by whom the marriage has been solemnized declines to sign the same, the consular officer shall enter the name of that person, and the fact that he declines to sign the same.

(4) The consular officer shall transmit copies and the certificate and the book when filled in manner provided by section 10 of the Foreign Marriage Act.

19.—(1) A Secretary of State, by a written authority under section 11 of the Foreign Marriage Act, may authorize a person to act in the place of a High Commissioner or Resident mentioned in that section, outside of His Majesty's dominions.

(2) If a Secretary of State gives such authority, or, in pursuance of the said section, authorizes any High Commissioner, Resident, or other officer outside His Majesty's dominions, not being an Ambassador or a consular officer, to be a marriage officer, then, for the purpose of marriages solemnized and registered by or before any High Commissioner, Resident, or officer, or person so authorized, expressions in the Foreign Marriage Act shall be construed as follows:—

(a) Expressions referring to the district of a marriage officer shall be construed to refer to the district for which such High Commissioner, Resident, officer, or person is authorized to act for the purpose of the Foreign Marriage Act;

(b) The expression "official house of a marriage officer" shall be construed to refer to the building or part of a building or place specified in the document by which he is authorized to act;

(c) The expression "office," when used with respect to the place at which any act or thing shall or may be done, shall be construed to refer to such portion of the building, part, or place so specified as is ordinarily accessible to the public.

20.—(1) Marriages, under the Foreign Marriage Act, on board one of His Majesty's vessels may be solemnized by or before a commanding officer of such rank and of such vessel as is for the time being authorized for that purpose by or in pursuance of any Admiralty instructions; and for the purpose of any such marriages a commanding officer so authorized shall, without any written warrant, be a marriage officer, and for the purpose of such marriages expressions in the Foreign Marriage Act shall be construed as follows:—

(a) Expressions referring to a district of a marriage officer shall be construed to refer to such parts of the foreign station to which the commanding officer is attached as may be specified in that behalf by Admiralty instructions.

(b) The expression "official house of a marriage officer" shall be construed to refer to the vessel of the said commanding officer.

(c) The expression "office," when used with respect to the place where any act or thing shall or may be done, shall be construed to refer to the part of the ship on which public notices are affixed.

(2) The commanding officer, before he solemnizes a marriage, shall be satisfied that, at the port or place where the marriage is solemnized, sufficient facilities do not exist for the solemnization of the marriage on land, either in accordance with the local law of the country or in accordance with the Foreign Marriage Act.

(3) The requirements of the Foreign Marriage Act as to residence and notice shall be modified as follows, namely, not less than three weeks' notice of the intended marriage must have been given in such public manner, or to such relatives or friends of the parties, as satisfies the commanding officer that as much notice of the intended marriage has been given as would be given if the marriage took place in England, and that the marriage is not clandestine.

21. The forms in the Schedule to this Order, or forms to the like effect, shall be used in all cases to which they are applicable.

I have for three weeks immediately preceding this date had my usual place of abode within the district of [here insert the official title of the marriage officer, and in the case of a consular officer, the place where he is appointed to reside], namely, at , and to the best of my knowledge and belief C. D. has, within three months immediately preceding this date, namely, from the day of to the day of of , had his [or her] usual place of abode at , and has there given notice of our intended marriage, as appears by the certificate now shown to me and marked

And the form of paragraph 3 of the oath by the non-resident party will be as follows:—

I have within three months immediately preceding this date, namely, from the day of to the day of , had my usual place of abode at , and have there given notice of our intended marriage, as appears by the certificate now shown to me and marked , and to the best of my knowledge and belief A. B. has for three weeks immediately preceding this date had her [or his] usual place of abode within the district of [here insert the official title of the marriage officer, and, in the case of a consular officer, the place where he is appointed to reside.]

Where neither party has dwelt within the district of the marriage officer before whom the oath is made, the form of paragraph 3 of the oath by each party will be as follows:—

I have within three months immediately preceding this date, namely, from the day of to the day of , had my usual place of abode at , and to the best of my knowledge and belief C. D. [A. B.] has within those three months, namely, from the day of to the day of , had her [or his] usual place of abode at , and notice of our intended marriage has been given at those places, as appears by the certificates now shown to me and marked respectively and

Where a Secretary of State has been satisfied that adequate notice has been given, and has given permission for the solemnization of the marriage, the form of so much of paragraph 3 of the oath as relates to the notice of the intended marriage will be as follows:—

A notice of our intended marriage has been given by [here state what notice has been given] as appears by the certificate [or other evidence of the notice] now shown to me and marked , and a Secretary of State has been satisfied that such notice is adequate and has given permission for the marriage to be solemnized.

N.B.—Any person entitled, under 51 and 52 Vict., cap. 46 ("the Oaths Act, 1888"), or otherwise, to affirm or declare, may make an affirmation or declaration in lieu of an oath.

No. 3.—FORM OF CERTIFICATE OF NOTICE.

I, A. B., British consul [or as the case may be], of , hereby certify that on the day of , 19 , I received the following notice of marriage [here insert the words of the notice], and that such notice was entered and was posted up in my consulate in the manner and during the period provided by the "Foreign Marriage Act, 1892," as if the marriage was to be solemnized in my consulate, and that I am not aware of any impediment which should obstruct the solemnization of the above marriage.

No. 4.—CERTIFICATE OF COPY OF REGISTER.

I, [consul, or, as the case may be] residing at , do hereby certify that this is a true copy of the entries of marriages registered in my office, from the entry of the marriage of A.B. and C. D., number one, to the entry of the marriage of R. S. and T. V., number fourteen.

Witness my hand and seal, this day of 19 .

(Signature and official seal of the marriage officer.)

GOVERNMENT NOTICE No. 236] APPOINTMENT.

Under the Foreign Marriages Order-in-Council, 1913,

NOTICE is hereby given that the Registrar General for the time being appointed under the provisions of the East Africa Marriage Ordinance, 1902, is authorized by His Majesty's Principal Secretary of State for the Colonies to receive any notice given under the provisions of the Foreign Marriages Order-in-Council, 1913, Article 13, of a marriage intended to be solemnized in a foreign country (other than a Protectorate) under the Foreign Marriage Act and to exercise the powers and duties provided by the aforesaid Article 13.

By Order,

Nairobi,
The thirteenth day of November, 1915.

C. C. BOWRING,
Chief Secretary.

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GOVERNMENT NOTICE No. 239] REGULATIONS.

Under the Mining Ordinance, 1912.

REGULATIONS issued by the Governor in exercise of the powers conferred upon him in that behalf by the Mining Ordinance, 1912, Section 73, as amended by the Mining Amendment Ordinance, 1915, Section 2.

Nairobi,

The 12th day of November, 1915.

H. C. BELFIELD,

Governor.

1. These Regulations may be cited as "The Mining Amendment (No. 2) Regulations 1915."
2. In Regulation 93 of the Mining Regulations, 1912, the words "except in the case of precious stones" are hereby deleted.

GOVERNMENT NOTICE No. 240] NOTICE.

THE notices mentioned in the Schedule hereto, and also any other notice heretofore published under the Crown Lands Ordinance, 1902, regulating the sale price of land in the Protectorate, are hereby cancelled.

The Schedule.

Notice dated July 27th, 1903, *Official Gazette* 1903, page 207.

Notice dated May 2nd, 1904, *Official Gazette* 1904, page 151.

Notice dated December 27th, 1905, *Official Gazette* 1906, page 8.

Nairobi,

The 9th day of November, 1915.

H. C. BELFIELD,

Governor.

GOVERNMENT NOTICE No. 252] NOTICE.

GEORGE R.I.

WHEREAS We have taken into Our Royal consideration the meritorious services rendered by members of the Police Forces in Our East and West African Colonies and Protectorates, other than those of European descent;

And whereas We are desirous of distinguishing such meritorious services by some mark of Our Royal favour;

We do by these Presents for Us, Our heirs and successors, institute and create a new Medal to be awarded to non-commissioned officers and men (other than those of European descent) of the Police Forces in East and West Africa, who shall specially distinguish themselves on any occasion or who may have rendered long and meritorious service.

2. The Medal shall be of silver and shall be designated and styled "The African Police Medal for Meritorious Service."

3. The obverse of the Medal shall bear Our effigy and the reverse shall contain a Tudor Crown surmounted by a lion in the centre, encircled by palm branches, with the circumscription "For Meritorious Service in the Police, Africa." The ribbon shall be yellow with two red stripes.

4. The name and rank of the recipient, together with the name of the Force of which he is a member, shall be inscribed on the rim.

5. The Medal shall be awarded by the Governor or other officer for the time being Administering the Government of the territory to which the Force may belong, on the recommendation of the Commandant of the Force, subject to the approval of one of Our Principal Secretaries of State.

6. Except in cases of conspicuous zeal and gallantry the Medal shall only be granted after not less than fifteen years' service marked by exceptional ability and merit, and the recipient must in every case have borne and exemplary character.

7. The names of the recipients of the Medal shall be published in the Government Gazette of the territories concerned.

8. If any person to whom the Medal is awarded be guilty of any crime or disgraceful conduct he may be deprived of it by the Governor or Officer Administering the Government with the assent of one of Our Principal Secretaries of State.

GIVEN at Our Court at Saint James's this Twenty-sixth day of July, One thousand Nine hundred and Fifteen, in the Sixth Year of Our Reign.

By His Majesty's Command,

A. BONAR LAW.

WARRANT

instituting "THE AFRICAN POLICE MEDAL
FOR MERITORIOUS SERVICE."

vp 62.

Under the Customs Amendment Ordinance, 1915.

IN EXERCISE of the powers conferred upon the Governor by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare:—

- (1) that the Proclamation of the 6th day of November, 1915, (Proclamation No. 56) be revoked.
- (2) that the exportation of all articles, except:—
 - (1) Printed matter of all descriptions
 - (2) Empty receptacles returned to the Netherlands
 - (3) Worn clothing and other personal effects
 - (4) Live animals other than animals ordinarily used for human food,
 be prohibited to the Netherlands unless such articles, being articles the exportation of which is not otherwise prohibited, are consigned to the Government of the Netherlands or any Department thereof (provided that the permission of the Secretary of State for Foreign Affairs is previously obtained); any British Diplomatic or Consular Officer in the Netherlands or any Diplomatic or Consular Officer in the Netherlands of an allied or neutral country (provided that in the case of consignments to Diplomatic or Consular Officers of neutral countries the permission of the Secretary of State for Foreign Affairs is previously obtained); the Netherlands Oversea Trust or (in the case of any prohibited or restricted goods which are authorised by licence to be exported), the person named in the licence as consignee.

GIVEN at Nairobi this 7th day of December, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 266]

At the Court at Buckingham Palace.

THE 14TH DAY OF OCTOBER, 1915. ✓

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT

VISCOUNT KNOLLYS

EARL OF DESART

SIR MAURICE DE BUNSEN.

WHEREAS by an Order of His late Majesty King Edward the Seventh in Council, bearing date the 15th day of February, 1909, and entitled the Eastern African Protectorates (Court of Appeal) Order-in-Council, 1909, a Court, called His Majesty's Court of Appeal for Eastern Africa, was constituted for the hearing and determining of appeals from His Majesty's Courts in the East Africa, Uganda, and Nyasaland Protectorates:

And whereas by an Order of His Majesty in Council, bearing date the 21st day of January, 1914, and entitled the Eastern African Protectorates (Court of Appeal) Amendment Order-in-Council, 1914, provision was made for the hearing and determining of appeals from His Britannic Majesty's Court for Zanzibar by His Majesty's said Court of Appeal for Eastern Africa:

And whereas by an Order of His late Majesty King Edward the Seventh in Council, bearing date the 15th day of February, 1909, and entitled the Eastern African Protectorates (Appeal to Privy Council) Order-in-Council, 1909, provision was made for regulating appeals from His Majesty's said Court of Appeal for Eastern Africa to His Majesty in Council:

And whereas by Article 6 of the last recited Order, hereinafter referred to as the Principal Order, it was, amongst other things, provided that leave to appeal under Article 3 should only be granted by the Court in the first instance upon condition of the Appellant, within a period to be fixed by the Court but not exceeding three months from the date of the hearing of the application for leave to appeal, entering into good and sufficient security to the satisfaction of the Court in a sum not exceeding Rs. 5,000 for the purposes there specified, and it is expedient to amend the said provision:

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

1. This Order may be cited as "The Eastern African Protectorates (Appeal to Privy Council) Amendment Order-in-Council (No. 2), 1915," and shall be construed and read as one with the Principal Order.

2. Article 6 of the Principal Order is hereby amended by substituting for the words and figures "in a sum not exceeding Rs. 5,000" the words and figures "in a sum not exceeding Rs. 7,500."

3. This Order shall commence and have effect forthwith.

And the Right Honourable Andrew Bonar Law, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZROY.

GOVERNMENT NOTICE No. 267] RULES.

Under the Diseases of Animals Ordinance, 1906. ✓

ISSUED by the Governor under the provisions of the Diseases of Animals Ordinance, 1906, Section 7.

Nairobi,

The 3rd day of December, 1915.

H. C. BELFIELD,

Governor.

1. These Rules may be cited as "The Diseases of Animals Amendment Rules, 1915", and shall be construed with the Diseases of Animals Rules, 1911, hereafter referred to as the Principal Rules.

2. Rule 7 of the Principal Rules is hereby revoked and the following Rule is substituted therefor:—

- (7) (1) Every head of cattle imported into the Protectorate shall be accompanied by a certificate from a qualified Veterinary Surgeon that such animal has successfully passed the tuberculin test. Any cattle imported without such certificate may be subjected to such test by an Inspecting Officer.
- (2) The Chief Veterinary Officer may direct that any cattle imported on or after the 1st day of December, 1915, shall be further subjected to the tuberculin test at any time or times within 18 months from the date of such importation.
- (3) The Chief Veterinary Officer may direct that any cattle imported before the 1st day of December, 1915, shall be further subjected to the tuberculin test.
- (4) In the event of any animal re-acting to the tuberculin test such animal shall be slaughtered or dealt with as the Chief Veterinary Officer may direct.

GOVERNMENT NOTICE No. 269] NOTICE.

THE Government of the East Africa Protectorate with the consent of Segi, Engaroya, Saburi, Marmori, Langiri, Agali, Ole Yeli, Ole Naigisa, Ole Gesheyan, Ole Matipe, Ole Nakola, Ole Kotikosh, Ole Batiet, Ole Turere, Ole Masikondi, Ole Gelishu, Ole Malit, Ole Tanyai, on behalf of the Paramount Chief and the representatives of the Masai Tribe is prepared to grant occupation rights within the outlying district known as the Masai Reserve in centres the names situations and areas whereof are specified in the Schedule annexed hereto on the terms and conditions following:—

1. Plots of 2 acres approximately.
2. Rental per plot per mensem Rs. 12/-.
3. Separate plots for Europeans, Asiatics and Natives.
4. Plots will be let under annual occupation licences.

Nairobi,

Dated this 6th day of December, 1915.

H. C. BELFIELD,

Governor.

Schedule.

Name of Trade Centre.	Situation.	Approximate extent.
1. Narok Govt. Station ...	Narok River 70 miles from Kijabe	160 acres within a circle with a beacon as centre.
2. Engirende (Mara) Govt. Station ...	Mara River where it bends West	do
3. Engong Govt. Station...	Ngong Hills 14 miles West of Nairobi	do
4. Guaso N'giro ...	N'giro River 80 miles from Kijabe	do
5. Mara Bridge ...	Mara River 7 miles below Engirende Station	do
6. Mau ...	Near Saukutiek River	do
7. Mau ...	Mau Narok near Likia	do
8. Narrosurra ...	Narrosurra River a tributary of the Guaso N'giro	do
9. Ol Alung'a ...	Upper Guaso N'giro Western Bank	do
10. Endasegera ...	Loita Hills	do
11. Lemek ...	Lemek Valley	do
12. Ol Orogoti ...	Trans-Mara region at Ol Joro Ngatuny	do
13. Ndulele ...	At Penyin Dam	do
14. Weikey ...	On Weikey River	do
15. Sianna ...	Loita Hills	do
16. Gelegele ...	Gelegele Hill on Kisii Border	do
17. Baradmat ...	Loita Plains	do
18. Mogor ...	Mogor River Trans-Mara region	do
19. Angata Pusi ...	Lower Mara East Bank	do
20. Angata Naado ...	Lower Siyabei River	do
21. Uaso Kedong ...	Kedong Valley below farms	do
22. Kandis ...	Athi River	do
23. Ol Joroibor ...	A stream at the South end of Mt. Enaparasha, Matapatu Country	do
24. Metiganju ...	Metiganju River in the Ol Oitokitok Country	do

GOVERNMENT NOTICE No. 275]

NOTICE.

Confirmation of Ordinances.

The Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinances:—

**An Ordinance to amend the East Africa Registration Regulations, 1901.
(No. XXVII of 1915.)**

**An Ordinance to Regulate the Trade in Coconuts, Copra and Other
Products of the Coconut Tree, (No. XXIII of 1915.)**

**An Ordinance to amend the Courts (Emergency Powers)
Ordinance, 1915, (No. XXVI of 1915.)**

By Command of His Excellency.

Nairobi,
December 8th, 1915.

C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 276] NOTICE.

The following form of Risk Note has been approved by His Excellency the Governor in Council for use on the Uganda Railway, on and after 1st January, 1916, to supersede the form published in the Official Gazette of August 15th, 1910, page 473:—

Nairobi,
Dated this 7th day of December, 1915.

C. C. BOWRING,
Chief Secretary.

UGANDA RAILWAY. ✓

RISK NOTE "FORM H".

Approved by the Governor in Council of the East Africa Protectorate under Section 72 (2) (b) of the Railway Ordinance, 1910.

To be used as an alternative to Risk Note "Form B" when a sender desires to enter into a general agreement instead of executing a separate Risk Note for each consignment.

..... Station.

.....19.....

Whereas all consignments of goods or animals for which the Uganda Railway quotes both "owner's risk or special reduced" rates and "railway risk or ordinary" rates are (unless I/we shall have entered into a special contract in relation to any particular consignment) despatched by me/us at my/our own risk and are charged for by the said railway Administration at "special reduced or owner's risk" rates instead of at "ordinary tariff or railway risk" rates, I/we, the undersigned, in consideration of such consignments being charged for at the "special reduced or owner's risk" rates, do hereby agree and undertake to hold the Uganda Railway Administration over whose railways the said goods or animals may be carried in transit, or over railways worked by the aforesaid Administration, harmless and free from all responsibility for any loss, destruction, or deterioration of or damage to, the said consignments from any cause whatever except for the loss of a complete consignment, or of one or more complete packages forming part of a consignment, due either to the wilful neglect of the aforesaid Administration, or to theft by or the wilful neglect of its servants during transit over the said railways, provided that the term "wilful neglect" be not held to include fire, robbery from a running train, or any other unforeseen event or accident.

.....

Signature of Sender.

Signature of Witness.

Profession.

Address.

Address.

GOVERNMENT NOTICE No. 280] NOTICE.

Under the Customs Ordinance, 1910.

HIS EXCELLENCY the Governor has in exercise of the powers conferred upon him by the Customs Ordinance, 1910, Section 18 (2) directed that until further notice the period allowed by virtue of the Notice of the 1st day August, 1913, (Government Notice No. 178), for the storage of goods lying on Customs premises at Kilindini free of charge shall be reduced from 8 days from the day the first package from any particular ship enters the Customs premises to 48 hours from the time the landing at Kilindini of any consignment is completed.

Nairobi,
The 14th day of December, 1915.

C. C. BOWRING,
Chief Secretary

GOVERNMENT NOTICE No. 281] ORDER.

Under the Vaccination Ordinance, 1912.

IN exercise of the powers conferred upon the Governor by the Vaccination Ordinance, 1912, Section 3, I, Charles Calvert Bowring, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor's Deputy, hereby order that from the date hereof until further order all adults and children found in the North Kavirondo and Kisumu Districts who have not been previously inoculated or vaccinated successfully or who have not already had small-pox shall be vaccinated.

GIVEN at Nairobi this 10th day of December, 1915.

C. C. BOWRING,
Governor's Deputy.

PROCLAMATION No. 62] PROCLAMATION.

Under the Mohamedan Marriage and Divorce Registration Ordinance, 1906.

IN EXERCISE of the powers conferred upon me by Section 26 of the Mohamedan Marriage and Divorce Ordinance, 1906, I hereby declare that the said Ordinance shall apply to all Native Mohamedans in the Nakuru District of the Naivasha Province and shall commence and have effect in the said District as from the 1st day of January, 1916.

Nairobi,

Dated this 17th day of December, 1915.

C. C. BOWRING,
Governor's Deputy.

GOVERNMENT NOTICE No. 287] NOTICE.

Confirmation of Ordinances.

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

**An Ordinance to provide for the Recruitment of Native Followers
for the Military Forces now Operating in the Protectorate.
(No. XXIX of 1915.)**

By Command of His Excellency.

Nairobi,

December 29th, 1915.

C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 288] RULES.

Under the East Africa Townships Ordinance, 1903.

ISSUED by His Excellency the Governor under the provisions of the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 29th day of December, 1915.

C. C. BOWRING,
Governor's Deputy.

1. These Rules may be cited as "Nairobi Township Vehicles Amendment Rules, 1916," and shall apply to the Township of Nairobi, and shall come into force on the first day of January, 1916.
2. Nairobi Township Vehicle Rules, 1913 (Government Notice No. 115 of 1913) are hereby amended as follows:—
 - (a) The definition of the word "vehicle" in Rule 13 is hereby amended by deletion of the words "other than a motor cycle" and substitution therefor of the words "motor cycle or motor car, as defined in the Motor Traffic Ordinance, 1915."
 - (b) The definitions of the terms "motor car" and "motor cycle" contained in the said rule are hereby deleted.
 - (c) The Schedule to the said rules is hereby amended by deletion of the tariffs prescribed for motor cars and motor lorries and for motor cycles.
3. Township Rules dated 25th July, 1913 (Government Notice No. 174 of 1913) are hereby repealed.
4. Rule 1 of Township Rules dated 2nd October, 1906, as amended by Township Rules dated 21st August, 1913 (Government Notice No. 193 of 1913) is hereby amended by addition to paragraph (a) thereof of the words "motor cycle or motor car as defined in the Motor Traffic Ordinance, 1915."
5. The Nairobi Township (Motor) Rules, 1915 (Government Notice No. 114 of 1915) are hereby repealed.

SPECIAL LEGISLATION.

Prohibited Exports.

IN EXERCISE of the powers vested in me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, hereby declare that the exportation of the following articles be prohibited to all destinations other than the United Kingdom or British Possessions or British Protectorates:—

Arms of all kinds, other than unrifled arms for sporting purposes, and their distinctive component parts.

Projectiles, charges, cartridges of all kinds, and their distinctive component parts.

Powder and explosives, especially prepared for use in war.

Ingredients of explosives, viz., nitric acid, sulphuric acid, glycerine, acetone, calcium acetate and all other metallic acetates, sulphur, potassium nitrate, the fractions of the distillation products of coal tar between benzol and cresol inclusive, aniline, methylaniline, dimethylaniline, ammonium perchlorate, sodium perchlorate, sodium chlorate, barium chlorate, ammonium nitrate, cyanamide, potassium chlorate, calcium nitrate, mercury, and turpentine (oil and spirit).

Gun mountings, limber boxes, limbers, military wagons, field forges, and their distinctive component parts.

Range-finders and their distinctive component parts.

Clothing and equipment of a distinctively military character.

Saddle, draught, and pack animals suitable for use in war.

All kinds of harness of a distinctively military character.

Articles of camp equipment and their distinctive component parts.

Ferro alloys, including ferro-tungsten, ferro-molybdenum, ferro-manganese, ferro-vanadium, ferro-chrome, ferro-nickel, ferro-silicon, ferro titanium, spiegeleisen.

The following metals:—Tungsten, molybdenum, vanadium, nickel, selenium, cobalt, manganese.

The following ores:—Wolframite, scheelite, molybdenite, manganese ore, nickel ore, chrome ore, zinc ore, lead ore, bauxite.

Aluminium, alumina and salts of aluminium, alloys of aluminium.

Antimony, together with the sulphides and oxides of antimony and alloys of antimony.

Copper, unwrought and part wrought, all kinds including alloys of copper (such as brass, naval brass, and delta metal, phosphor copper and phosphor bronze) copper and brass sheets, circles, slabs, bars, pipes, ingots, scraps, rods, plates, solid drawn tubes, condenser plates, copper wire, B. W. G. brass wire, B. W. G. bronze wire, solder containing copper.

Lead, pig, sheet or pipe.

Barbed wire, and implements for fixing and cutting the same.

Warships, including boats and their distinctive component parts of such a nature that they can only be used on a vessel of war.

Submarine sound signalling apparatus.

Aeroplanes, airships, balloons, and aircraft of all kinds, and their component parts, together with accessories and articles recognisable as intended for use in connection with balloons and aircraft including gold beaters skin, shantung silk in the piece, flax fabric suitable for aeroplanes, non-inflammable celluloid sheet (or similar transparent material non-soluble in lubricating oil, petrol or water) aeroplane dope high tensile steel tubes, aeroplane instruments (aneroids, barographs, revolution indicators) aeroplane turn-buckles, steel stampings, magnetos, aeroplane engines and parts, fusel oil (amyl-alcohol) amyl-acetate, acetocelluloses, triphenyl phosphate.

Tyres for motor vehicles and for cycles, together with articles, or materials especially adapted for use in the manufacture or repair of tyres.

Rubber (including raw, waste, and reclaimed rubber) and goods made wholly of rubber.

Mineral oils and motor spirit, except lubricating oils.

Clothing, fabrics for clothing, and boots and shoes suitable for use in war.

Vehicles of all kinds, other than motor vehicles, available for use in war, and their component parts.

Vessels, craft and boats of all kinds; floating docks, parts of docks, and their component parts.

Fuel, other than mineral oils and coals. Lubricants.

Powder and explosives not especially prepared for use in war.

Horseshoes and shoeing materials.

Harness and saddlery.

Hides of all kinds, dry or wet; pigskins, raw or dressed; leather undressed or dressed, suitable for saddlery, harness or military boots.

Field glasses, telescopes.

AND THAT the exportation of the following goods be prohibited to all foreign ports in Europe and in the Mediterranean and Black Seas other than those of France, Russia (except Baltic Ports), Belgium, Spain and Portugal:—

Armour plates.
 Motor vehicles of all kinds and their component parts.
 Iron pyrites.
 Implements and apparatus designed exclusively for the manufacture of munitions of war, for the manufacture or repair of arms or war material for use on land and sea.
 Fire arms unrifled for sporting purposes or,
 Rosin and camphor.
 Haematite pig iron and haematite iron ore.
 Foodstuffs, forage and feeding stuffs for animals and the raw materials thereof in so far as the exportation of such foodstuffs and forage and feeding stuffs and the raw materials thereof is not prohibited by the Proclamation dated the 29th day of January, 1915, as amended by the Proclamation dated the 9th day of February, 1915.
 Railway material, both fixed and rolling stock, and materials for telegraphs, wireless telegraphs and telephones.
 Chronometers and all kinds of nautical instruments.
 Wool.

AND THAT the Proclamation dated the 4th day of November, 1914, regarding the Prohibition of Exports be annulled.

GIVEN under my hand at Mombasa this 24th day of March, 1915.

H. C. BELFIELD,
 Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 14]

PROCLAMATION.

Prohibited Exports. *Annulled p60*

IN EXERCISE of the powers vested in me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, hereby declare:—

(A) That the exportation of the following goods be prohibited to all destinations:—

Barley;
 Beans of all kinds other than Soya beans;
 Chiroko (or Moong or Mopokio);
 Garlic;
 Ground-nuts;
 Maize;
 Mwele;
 Millet;
 Oats;

Onions;
 Peas (except peas grown for the purpose of seed only);
 Potatoes;
 Rice;
 Sugar;
 Urad;
 Wheat;
 Wimbi;

(B) That the exportation of the following goods be prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates:—

Accoutrements, namely, web equipment, leather belts, leather bandoliers, leather pouches, other leather articles of personal equipment manufactured for military purposes;

Aeroplanes, airships, balloons and aircraft, of all kinds and their component parts, together with accessories and articles recognisable as intended for use in connection with aeroplanes, airships, balloons, and aircraft including:—gold beaters' skin; shantung silk in the piece; flax fabric suitable for aeroplanes; non-inflammable "celluloid" sheet (or similar transparent material non-soluble in lubricating oil, petrol or water); aeroplane dope; high tensile steel tubes; aeroplane instruments (aneroids, barographs, revolution indicators) aeroplane turnbuckles; steel stampings; magnetos; aeroplane engines and parts; fusel oil (amyl alcohol); amyl acetate; aceto-celluloses; trephenyl phosphate;

Animals, pack, saddle and draught, suitable for use in war;

Blankets, coloured, exceeding 3½ lbs, in weight, known as "woollen" blankets;

Boots, heavy for men;

Camp equipment, articles of, including tents and their component parts, ovens, camp kettles, buckets, lanterns, and horse rugs;

Cannon and other ordnance and machine guns, and parts thereof;

Carbons suitable for searchlights;

Carriages and mountings for cannon and other ordnance, and for machine guns and parts thereof;

Cartridges, charges of all kinds, and their components parts;

Carts, two wheeled, capable of carrying 15 cwt. or over, and their distinctive component parts;

Chemicals, drugs, dyes and dye stuffs, medical and pharmaceutical preparations, and tanning extracts, namely:—

Acetone;
 Acetanilide;
 Acetylsalicylic acid (aspirin);
 Aconite and its preparations and alkaloids;
 Alcohol, methylic;
 Alumina, and salts of aluminium;
 Ammonia, its salts, whether simple or compound;
 Ammonia, liquified;
 Ammonia liquor;
 Ammonium nitrate, perchlorate, and sulphocyanide;
 Antimony, sulphides and oxides of;
 Antipyrine (phenazona);
 Anti-tetanus serum;
 Barium chlorate;
 Belladonna and its preparations and alkaloids;
 Benzoic acid (synthetic) and benzoates;
 Bromine and alkaline bromides;
 Calcium acetate and all other metallic acetates;
 Calcium nitrate;
 Cantharides and its preparations;
 Carbolie acid;
 Chloral and its preparations, including chloramid;
 Coal tar distillation products, namely benzol and cresol and the fractions of the distillation products of coal tar between benzol and cresol;
 Coal tar products for use in dye manufacture, including aniline oil and aniline salt;
 Coca and its preparations and alkaloids;
 Collodion;
 Copper iodide;
 Copper, suboxide of;
 Copper sulphate;
 Cresol, all preparations of (including cresylic acid) and nitro-cresol (including saponified cresol);
 Cyanamide;
 Diethylbarbituric acid (veronal) and veronal sodium;
 Dimethylaniline;
 Dyes and dyestuffs manufactured from coal tar products;
 Emetin and its salts;
 Ergot of rye, not including liquid extract or other medicinal preparations of ergot;
 Eucaïne hydrochlor;
 Formic aldehyde;
 Fulminate of mercury;
 Gentian and its preparations;
 Glycerine, crude and refined;
 Henbane and its preparations;
 Hexamethylene tetramin (urotpin) and its preparations;
 Hydrobromic acid;
 Hydroquinone;
 Indigo, natural;
 Ipecacuanha root;
 Methylaniline;
 Neo-salvarsan;
 Nitric acid;
 Nitrotoluol;

Novocain;
 Opium and its preparations and alkaloids;
 Paraffin, liquid medicinal;
 Paraformaldehyde and trioxmethylene;
 "Peptone witte";
 Peroxide of manganese;
 Phenacetin;
 Picric acid and its compounds;
 Potash caustic;
 Potash salts, namely:—
 Bicarbonate;
 Bichromate;
 Carbonate;
 Chlorate;
 Chloride;
 Chrome alum;
 Cyanide;
 Metabisulphite;
 Nitrate (saltpetre);
 Permanganate;
 Prussiate;
 Sulphate (including Kainit);
 Protargol, not including silver protoinate;
 Saccharin (including "saxin");
 Salicylic acid and salicylate of soda;
 Salol;
 Salvarsan;
 Santonin and its preparations;
 Sodium chlorate and perchlorate;
 Sodium nitrate;
 Sulphonal;
 Sulphur;
 Sulphuric acid;
 Tartaric acid and alkaline tartrates;
 Thorium nitrate;
 Thymol and its preparations;
 Trional;
 Valonia;
 Zinc sulphate;
 Coal sacks;
 Compasses, other than ships' compasses;
 Cotton waste of all descriptions;
 Draw plates, jewelled, for drawing steel wire;
 Explosives of all kinds;
 Ferro-alloys, including:—
 Ferro-chrome;
 Ferro-manganese;
 Ferro-molybdenum;
 Ferro-nickel;
 Ferro-titanium;
 Ferro-tungsten;
 Ferro-vanadium;
 Spiegeleisen;
 Ferro-silicon;
 Field glasses and telescopes;
 Firearms, rifled, of all kinds, and their component parts;
 Flax, raw;
 Glass for optical instruments;
 Graphite, including foundry (moulding), plumbago and plumbago for lubricating;
 Grindery, the following articles of, used in the making of boots and shoes:—
 Brass rivets, for use by hand or machine;
 Cutlan studs, for use by hand or machine;
 Heel attaching pins, for use by hand or machine;
 Lasting tacks or rivets, for use by hand or machine;

Steel bills, for use by hand or machine;
 Heel tips;
 Heel tip nails;
 Hobnails of all descriptions;
 Protector studs;
 Screwing wire;
 Harness and saddlery which can be used for military purposes;
 Heliographs;
 Hemp, other than Manila hemp;
 Hemp, the following manufactures of:—
 Cloth;
 Cordage and twine, not including cordage of twine of Manila hemp or reaper or binder twine;
 Hides of cattle, buffaloes and horses, and calf skins;
 Horse shoes;
 Hosiery needles;
 Jute, raw;
 Khaki woollen cloth;
 Leather, undressed or dressed, suitable for saddlery, harness, military boots or military clothing;
 Lubricants;
 Meat, namely, beef and mutton, fresh or refrigerated;
 Metals and ores, the following, viz:—
 Aluminium and alloys of aluminium;
 Antimony and alloys of antimony;
 Bauxite;
 Chrome ore;
 Cobalt;
 Copper, unwrought and part wrought, all kinds, including alloys of copper (such as brass, gun metal, naval brass and delta metal, phosphor copper and phosphor bronze), copper and brass sheets, circles, slabs, bars, pipes, ingots, scrap, rods, plates, solid drawn tubes, condenser plates, copper wire, brass wire, bronze wire, solder containing copper;
 Lead, pig, sheet or pipe (including solder containing lead);
 Lead ore;
 Manganese and manganese ore;
 Mercury;
 Molybdenum and molybdenite;
 Nickel and nickel ore;
 Scheelite;
 Selenium;
 Tin, chloride of tin, tin ore;
 Tungsten;
 Vanadium;
 Wolframite;
 Zinc and zinc ore (including zinc ashes, spelter, spelter dross, and zinc sheets);
 Mica (including mica splittings) and micaite;
 Mineral jellies;
 Mines and parts thereof;
 Oil, castor;
 Oil, blast furnace (except creosote and creosote oil);
 Oil fuel, shale;
 Oil, mineral lubricating (including mineral lubricating grease and lubricating oil composed of mineral and other oils);
 Oil, whale, namely train, blubber, sperm or head matter, and seal oil, shark oil, and Japan fish oil;
 Oleo oil, Premier jus, and animal tallow;
 Paraffin wax;;
 Periscopes;
 Projectiles of all kinds and their component parts;

Petroleum, fuel oil (including turpentine substitute and paraffin oil);
 Petroleum, gas oil;
 Petroleum spirit and motor spirit, including Shell spirit);
 Pigskins, dressed or undressed;
 Portable forges;
 Range finders and parts thereof;
 Rope (steel wire) and hawsers;
 Rubber (including raw, waste and reclaimed rubber; and goods made wholly of rubber; including tyres for motor vehicles and for cycles, together with articles or materials especially adapted for use in the manufacture or repair of tyres;
 Searchlights;
 Sheepskins, tanned;
 Sheepskins woolled, *i.e.*, with the wool left on;
 Signalling lamps of all kinds capable of being used for signalling Morse or other code;
 Silk cloth, silk braid, silk thread, suitable for cartridges;
 Silk noils;
 Skins of calves, pigs, sheep, goats, and deer;
 Spirits of a strength of not less than 43 degrees above proof;
 Submarine sound signalling apparatus;
 Surgical bandages and dressing (including butter cloth);
 Swords, bayonets, and other arms (not being firearms) and parts thereof;
 Tanning substances of all kinds, extracts for use in tanning, including chestnut extract and oakwood extract;
 Telephone sets and parts thereof, field service telegraph and telephone cable;
 Torpedo nets;
 Torpedo tubes;
 Torpedoes and parts thereof;
 Turpentine (oil and spirit);
 Uniform clothing and military equipment;
 Urea aniline and other compounds;
 Vessels, boats and craft of all kinds (including floating docks) and their distinctive component parts;
 Waggon, four-wheeled, capable of carrying one ton or over and their distinctive component parts;
 Wire, barbed, and galvanised wire, and implements for fixing and cutting same (but not including galvanised wire netting);
 Wire, steel, of all kinds;
 Wood, namely:—
 Ash;
 Ash three-ply wood;
 Spruce;
 Walnut wood;
 Wool, raw, sheep—and lambs,—wool tops and noils and woollen and worsted yarns;
 Wool waste;
 Woollen rags, applicable to other uses than manure, pulled or not;
 Woollen and worsted cloth suitable for uniform clothing, not including women's dress stuffs or cloth with pattern;
 Woollen jerseys, cardigan jackets, woollen gloves, woollen socks, and men's woollen underwear of all kinds;

(C) That the exportation of the following goods be prohibited to all foreign ports in Europe and on the Mediterranean and Black Seas other than those of France, Russia (except Baltic ports), Belgium, Spain and Portugal:—

<p>Armour plates, armour quality castings and similar protective materials; Asbestos; Bags and sacks of all kinds (not including paper bags); Bicycles and their distinctive component parts; Bladders, casings, and sausage skins; Camphor; Chemicals, drugs, etc:— Bismuth and its salts; Iodine and its preparations and compounds; Mercury, salts and preparations of; Nux Vomica and its alkaloids and preparations; Chronometers and all kinds of nautical instruments; Compasses for ships, and parts thereof, including fittings such as binnacles; Firearms, unrifled, for sporting purposes; Flaxen canvas, namely:— Hammock canvas; Kitbag canvas; Merchant Navy canvas; Royal Navy canvas; Tent canvas; Food stuffs, and feeding stuff, and the raw materials thereof, including all animal and vegetable oils and fats (other than Linseed oil, boiled and unboiled, unmixed with other oil, and not including essential oils) and all oleaginous nuts, seeds and products, including:—Castor beans; Coconuts; Copra; Cotton seed; Linseed; Palm kernels; Rape seed; Sesame seed; Soya beans; Implements and apparatus designed exclusively for the manufacture of munitions of war, for the manufacture or repair of arms or of war material for use on land and sea, namely, plant for cordite and ammunition factories, viz:— Cordite presses; Dies for cartridge cases;</p>	<p>Gauges for shells or cartridges; Incorporators; Lapping machines; Rifling machines; Wire-winding machines; India-rubber, sheet, vulcanised; Intrenching tools and intrench implements, namely, pick-axes, and grubbers, whether of combination pattern or otherwise; spades and shovels of all descriptions, helms and handles for pick-axes, grubbers, spades, and shovels; and machinery for trenching and ditching; Jute yarns; Jute piece goods; Linen close canvas; Linen duck cloth; Mahogany; Mess tins, and water bottles for military use; Metals and ores, the following, viz:— Copper ore; Iron ore; Iron haematite ptg; Iron pyrites; Motor vehicles of all kinds, including motor bicycles, and their distinctive component parts and accessories; Packings, engine and boiler (including slagwool); Railway material, both fixed and rolling stock; Rosin; Seeds; clover and grass; Shipbuilding materials, namely:— Boiler tubes; Condenser tubes; Iron and steel castings and forgings for hulls and machinery of ships; Iron and steel plates and sectional materials for shipbuilding; Marine engines, and parts thereof; Ships' auxiliary machinery; Sounding machines and gear; Telegraphs, wireless telegraphs and telephones, materials for;</p>
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(D) That the export of the following articles be prohibited to ports in Denmark, the Netherlands and Sweden:—

Tin plates; including tin boxes and tin canisters for food packing.

And that the following Proclamations be hereby annulled, namely:—

<p>Proclamation, dated the 18th day of November, 1914. (Proclamation No. 31). Proclamation, dated the 23rd day of January, 1915. (Proclamation No. 2). Proclamation dated the 29th day of</p>	<p>January, 1915. (Proclamation No. 4). Proclamation dated the 1st day of March, 1915. (Proclamation No. 6). Proclamation dated the 24th day of March, 1915. (Proclamation No. 11).</p>
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Given under my hand at Nairobi this 9th day of April, 1915.

H. C. BELFIELD.
Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 35]

PROCLAMATION. p 60**Under the Customs Amendment Ordinance, 1915.**

PROHIBITION OF EXPORTS.

IN EXERCISE of the powers conferred upon me by the Customs Amendment Ordinance 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare that the exportation of the following articles be prohibited to all destinations:—

Galvanised or Black Iron tubes or piping from one inch to four inches in diameter and all fittings pertaining thereto.

Given under my hand at Nairobi this 2nd day of July, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

PROCLAMATION No. 37]

PROCLAMATION. p 60**Prohibited Exports.**

WHEREAS by a Proclamation dated the 9th day of April, 1915 (Proclamation No. 14) and made under the Customs Amendment Ordinance, 1915, the exportation from the East Africa Protectorate of the goods specified under the heading (c) of the aforesaid Proclamation is prohibited to all Foreign Ports in Europe and on the Mediterranean and Black Seas other than those of France, Russia (except Baltic Ports), Belgium, Spain and Portugal.

AND WHEREAS it is desirable that the prohibition on the export of the aforesaid goods to Italy should be removed.

NOW THEREFORE IN EXERCISE of the powers vested in me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, do hereby declare that the exportation of the goods specified under the heading (c) of the aforesaid Proclamation of the 9th day of April, 1915 (Proclamation No. 14) be prohibited to all Foreign Ports in Europe and on the Mediterranean and Black Seas other than those of France, Italy, Russia (except Baltic Ports), Belgium, Spain and Portugal.

GIVEN under my hand at Nairobi, this 27th day of July, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 40]

PROCLAMATION. p 60**Under the Customs Amendment Ordinance, 1915.**

IN EXERCISE of the powers vested in me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare:—

- (1) That the exportation of all oleaginous nuts, seeds, kernels and their products and of all vegetable oils be prohibited to Spain.
- (2) That Part (c) of the Proclamation issued under the Customs Amendment Ordinance, 1915, and dated 9th day of April, 1915, be amended in accordance with Part (1) hereof.
- (3) That subject to any licence which may be given the exportation of Coal be prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates.

GIVEN under my hand at Nairobi this 17th day of August, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 41]

PROCLAMATION. p 60**Under the Customs Amendment Ordinance, 1915.**

IN EXERCISE of the powers conferred upon me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare:—

1. That the prohibition contained in the Proclamation dated the 9th day of April, 1915, under the Customs Amendment Ordinance, 1915 (Proclamation No. 14), Part A, be removed on the exportation to all destinations of the following articles:—

Ground Nuts	Oats
Maize	Onions
Millet	Peas
Moong (Chiroko)	Potatoes
Mwele	Wimbi

2. That the exportation of

Ground Nuts	Oats
Maize	Peas

be prohibited to all destinations other than the United Kingdom, British Possessions and British Protectorates.

3. And that the exportation of:—

Moong (Chiroko)	Onions
Millet	Potatoes
Mwele	Wimbi

be prohibited to Foreign Ports in Europe and in the Mediterranean and Black Seas other than those of France, Russia (except Baltic Ports), Italy, Spain and Portugal.

Given under my hand at Nairobi this 31st day of August, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 45]

PROCLAMATION. p 60**Under the Customs Amendment Ordinance, 1915.**

PROHIBITION OF EXPORTS.

IN EXERCISE of the powers conferred upon me by the Customs Amendment Ordinance 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare that the exportation of all goods from the East Africa Protectorate to Bulgaria be prohibited.

Given under my hand at Nairobi this 15th day of September, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 46]

PROCLAMATION.

Under the Registration of Persons Ordinance, 1915.

WHEREAS by Section 3 of the said Registration of Persons Ordinance, 1915, the Governor may by Proclamation apply the provisions of the said Ordinance to any area and to any race in such area.

NOW THEREFORE in exercise of the powers conferred upon me by the hereinbefore mentioned Section 3, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, do hereby apply the Registration of Persons Ordinance, 1915, to all persons of European origin in the Protectorate with the exception of those residing in the Northern Frontier District.

Nairobi,

Dated this 18th day of September, 1915.

H. C. BELFIELD,
Governor.

Prohibited Exports.

IN EXERCISE of the powers vested in me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, hereby declare:—

(a) That the exportation of the following goods be prohibited to all destinations:—

Barley;

Beans of all kinds other than Soya Beans, provided that the following beans may, subject to the licence of the Governor, and in accordance with the provisions of such licence, be exported to the United Kingdom, British Possessions, Protectorates and Allied Countries:—

Rose Cocoa;
Canadian Wonder;
Kikuyu Red;

White Haricot;

Noyeau Blanc;

Galvanised or Black Iron tubes or piping from one inch to four inches in diameter and all fittings pertaining thereto;

Garlic;

Rice;

Sugar;

Urad;

Wheat;

(b) That the exportation of the following goods be prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates:—

Accoutrements, namely, web equipment, leather belts, leather bandoliers, leather pouches, other leather articles of personal equipment suitable for military purposes;

Aircraft of all kinds, including aeroplanes, airships and balloons and their component parts, together with accessories and articles suitable for use in connection with aircraft, including:— Non-inflammable "celluloid" sheet (or similar transparent material non-soluble in lubricating oil, petrol or water); aeroplane dope; high tensile steel tubes; aeroplane instruments (aneroids, barographs, revolution indicators); aeroplane turnbuckles; steel stampings; aeroplane engines and parts;

Alunite;

Animals, pack, saddle and draught, suitable for use in war;

Blankets, coloured, exceeding 3½ lbs. in weight, containing wool;

Bone ash;

Boots, heavy, for men;

Camp equipment, articles of, including tents and their component parts, wooden huts, ovens, camp kettles, buckets, lanterns, and horse rugs;

Cannon and other ordnance and machine guns and parts thereof;

Capsicum and oleo-resin of capsicum;

Carbons suitable for searchlights;

Carriages and mountings for cannon and other ordnance, and for machine guns and parts thereof;

Cartridges, charges of all kinds, and their component parts;

Carts, two-wheeled, capable of carrying 15 cwt. or over, and their component parts;

Celluloid;

Chemicals, drugs, dyes and dye stuffs, medicinal and pharmaceutical preparations, and tanning extracts, namely:—

Aceto-celluloses;

Acetone;

Acetanilide;

Acetylsalicylic acid (aspirin);

Aconite and its preparations and alkaloids;

Alcohol, methylic;

Ammonia and its salts, whether simple or compound, other than ammonium nitrate, perchlorate and sulphocyanide;

Ammonia, liquefied;

Ammonia liquor;

Ammonium nitrate, perchlorate, and sulphocyanide;

Amyl acetate;

Anthracene oil and green oil;

Antimony, sulphides and oxides of;

Antipyrine (phenazone);

Anti-tetanus serum;

Belladonna, its alkaloids and preparations, including belladonna plaster;

Benzoic acid (synthetic) and benzoates;

Benzol;

Bromine and alkaline bromides;

Caffeine and its salts;

Calcium acetate and all other metallic acetates;

Calcium carbide;

Cantharides and its preparations;

Carbolic acid;

Carbon disulphide;

Carbon tetrachloride;

Caustic soda;

Chloral and its preparations, including chloramid;

Chlorates, perchlorates, and nitrates, all metallic;

Chloride of tin;

Chlorine (including liquefied chlorine);

Coal tar distillation products, being the fractions of the distillation products of coal tar between benzol and cresol;

Coal tar products for use in dye manufacture, including aniline oil and aniline salt;

Coca and its preparations and alkaloids;

Collodion;

Copper iodide;

Copper nitrate;

Copper, suboxide of;

Copper sulphate;

Cresol, and all preparations of cresol (including cresylic acid) and nitro-cresol (except saponified cresol);

Cresol (saponified);

- Cyanamide;
 Copper;
 Diethylbarbituric acid (veronal) and veronal sodium;
 Dimethylaniline;
 Dyes and dyestuffs manufactured from coal tar products;
 Emetin and its salts;
 Ergot of rye, not including liquid extract or other medicinal preparation of ergot;
 Eucaine hydrochlor;
 Formic aldehyde;
 Fusil oil (amyl alcohol);
 Gentian and its preparations;
 Glycerine, crude and refined;
 Henbane and its preparations;
 Hexamethylene tetramin (urotopin) and its preparations;
 Hydrobromic acid;
 Hydrochloric acid;
 Hydroquinone;
 Indigo, natural;
 Ipecacuanha root;
 Manganese, peroxide of;
 Magnesium chloride and sulphate;
 Methylaniline;
 Mercury, compounds and preparations of (other than nitrate of mercury);
 Neo-salvarsan;
 Nitric acid;
 Nitrotoluol;
 Novocain;
 Opium and its preparations and alkaloids;
 Oxalic acid;
 Oxides and salts (other than chlorates, perchlorates, and nitrates) of the following metals:—
 Aluminium;
 Cobalt;
 Nickel;
 Tungsten;
 Paraffin, liquid medicinal;
 Paraformaldehyde and trioxymethylene;
 Paraldehyde;
 "Peptone Witte";
 Phenacetin;
 Phosphorus and its compounds;
 Picric acid and its components;
 Potash caustic;
 Potash salts (except potassium chlorate, cyanide, nitrate (saltpetre), perchlorate, and permanganate);
 Potassium cyanide;
 Potassium permanganate;
 Protargol, not including silver proteinate;
 Prussiate of soda;
 Pyridine;
 Saccharin (including "saxin");
 Salicylic acid, methyl salicylate, sodium salicylate, and theobromine-sodium salicylate;
 Salol;
 Salvarsan;
 Santonin and its preparations;
 Sodium;
 Sodium hyposulphite (thiosulphate);
 Sulphonal;
 Sulphur and spent oxide of sulphur;
 Sulphur dioxide, liquefied;
 Sulphuric acid;
 Tanning, extracts for use in, the following:—
 Chestnut extract;
 Oakwood extract;
- Tartaric acid, cream of tartar, and alkaline tartrates;
 Thorium, oxide and salts of;
 Thymol and its preparations;
 Toluol and mixtures containing toluol;
 Triphenyl phosphate;
 Trional;
 Urea and its compounds;
 Valonia;
 Zinc chloride and sulphate;
- Coal Sacks;
 Coal (including anthracite and steam, gas, household and all other kind of coal) and coke;
 Coal tar, crude;
 Compasses, other than ships' compasses;
 Cotton fabric, suitable for aircraft;
 Cotton waste of all descriptions;
 Deer skins, dressed and undressed;
 Diamonds, rough, suitable for industrial purposes;
 Draw plates, jewelled, for drawing steel wire and diamonds prepared for use therein;
 Electros for printing purposes, composed of lead, antimony, and copper;
 Explosives of all kinds;
 Ferro-alloys, including:—
 Ferro-chrome;
 Ferro-manganese;
 Ferro-molybdenum;
 Ferro-nickel;
 Ferro-titanium;
 Spiegeleisen;
 Ferro-silicon;
 Field glasses and telescopes;
 Firearms, rifled, of all kinds, and their component parts;
 Flax Fabric, suitable for aircraft;
 Flax, raw;
 Forage and food which may be used for animals, namely:—
 Brewers' and Distillers' Grains;
 Brewers' Dried Yeast;
 Cakes and meals, the following, namely:
 Coconut and Poonac Cake;
 Compound Cakes and Meal;
 Cotton-seed Cake, decorticated and undecorticated, and Cotton-seed Meal;
 Gluten Meal or Gluten Feed;
 Linseed Cake and Meal;
 Maize Germ Meal;
 Maize Meal and Flour;
 Hay;
 Lentils;
 Malt Dust, Malt Flour, Culms, Sprouts or Combing;
- Offals of Corn and Grain, including:—
 Bran and Pollard;
 Mill Dust and Screenings of all kinds
 Rice Meal (or bran) and dust;
 Sharps and Middlings;
 Patent and Proprietary Cattle Foods of all kinds;
 Straw;
 Forges, portable;
 Glass for optical instruments;
 Goatskins, dressed and undressed;
 Gold Beaters' Skin;
 Graphite, including foundry (moulding plumbago, and plumbago for lubricating);
 Grindery, the following articles of, used in the making of boots and shoes:—
 Brass rivets, for use by hand or machine;
 Cutlan studs, for use by hand or machine;

- Heel attaching pins, for use by hand or machine;
- Lasting tacks or rivets, including iron shoe rivets, for use by hand or machine;
- Steel bills, for use by hand or machine;
- Heel tips;
- Heel tip nails;
- Hobnails of all descriptions;
- Protector studs;
- Screwing wire;
- Guanos;
- Harness and Saddlery which can be used for military purposes, including metal fittings for such harness or saddlery;
- Heliographs;
- Hemp, other than manila hemp;
- Hemp, the following manufactures of:—
- Cloth;
- Cordage and twine, not including cordage or twine of Manila hemp, or reaper or binder twine;
- Hides of cattle, buffaloes and horses, and Calfskins;
- Horse shoes;
- Hosiery needles;
- Iron pyrites;
- Jute piece goods, and bags and sacks made of jute;
- Jute, raw and corded;
- Jute yarns;
- Khaki woollen cloth;
- Leather, undressed or dressed suitable for saddlery, harness, military boots or military clothing;
- Lubricants;
- Magnetos;
- Maps and plans of any place within the territory of and belligerent, or within the area of military operations, on a scale of four miles to one inch or any larger scale, and reproductions on any scale by photography or otherwise of such maps or plans;
- Meat, namely, beef and mutton, fresh or refrigerated;
- Metals and ores, namely:—
- Aluminium, manufactures of aluminium, and alloys of aluminium;
- Antimony and alloys of antimony, including anti-friction metal;
- Bauxite;
- Chrome ore;
- Cobalt;
- Copper, unwrought and part wrought, all kinds, including alloys of copper (such as brass, gun metal, naval brass and delta metal, phosphor copper, phosphor bronze and solder containing copper), copper and brass circles, slabs, bars, ingots, scraps, rods and plates, and also wrought copper of the following descriptions;
- Copper and brass pipes, sheets, solid drawn tubes, condenser plates, copper wire, brass wire, bronze wire, perforated brass sheets, perforated brass linings, and copper foil;
- Lead, pig, sheet or pipe (including solder containing lead;
- Lead ore;
- Manganese and manganese ore;
- Mercury;
- Molybdenum and molybdenite;
- Nickel and nickel ore;
- Scheelite;
- Selenium;
- Steel containing tungsten or molybdenum or both, and any tools or other articles made from such steel;
- Tin, and tin ore;
- Tungsten;
- Vanadium;
- Wolframite;
- Wolfenite;
- Zinc ore;
- Mica (including mica splittings) and micaite;
- Mineral jellies;
- Mines and parts thereof;
- Oats;
- Oil, blast furnace (except creosote and creosote oil);
- Oil, fuel, shale;
- Oils and fats, all animal and vegetable including fatty acids, but not including essential oils;
- Oil, whale (train, blubber, sperm), seal oil, shark oil, fish oil generally, and mixtures or compounds of any of the foregoing;
- Oleaginous nuts, seeds and products, namely:—
- Castor beans;
- Coconuts;
- Copra;
- Cotton seed;
- Hempseed;
- Linseed;
- Palm nuts and palm kernel;
- Poppy seeds;
- Rape or colza seed;
- Sesame seed;
- Soya beans;
- Sunflower seed;
- Paraffin wax, wax candles, and waxed paper;
- Periscopes;
- Projectiles of all kinds and their component parts;
- Petroleum, fuel oil (including turpentine substitute and paraffin oil);
- Petroleum, gas oil;
- Petroleum spirit and motor spirit (including Shell spirit);
- Phosphate rock, namely:—
- Apatites;
- Phosphates of lime and alumina;
- Pigskins, dressed or undressed;
- Provisions and victuals which may be used as food for man, namely:—
- Animals, living, for food;
- Barley, barley meal and pearled and pot barley;
- Butter;
- Cheese;
- Eggs in shells;
- Lard and imitation lard;
- Malt;
- Margarine;
- Milk, condensed, sweetened or not;
- Oatmeal and rolled oats;
- Peas, except tinned and bottled peas and peas packed in cardboard boxes and similar receptacles;

- Sugar, refined and candy;
 Sugar, unrefined;
 Range Finders and parts thereof;
 Rope (steel wire) and hawsers;
 Rubber (including raw, waste and reclaimed rubber, solutions containing rubber, jellies containing rubber, or any other preparations containing rubber, and also including balata, gutta-percha, and the following varieties of rubber, *viz*:—Borneo, Guayule, Jelutong, Palembang, Pontianac, and all other substances containing caoutchouc), and goods made wholly or partly of rubber; including tyres for motor vehicles and for cycles, together with articles or materials especially adapted for use in the manufacture or repair of tyres;
 Searchlights;
 Sheepgut;
 Sheepskins, tanned;
 Sheepskins, whether woolled or not;
 Signalling lamps of all kinds capable of being used for signalling Morse or other code, and component parts of such lamps;
 Silk cloth, silk braid, silk thread, suitable for cartridges;
 Silk noils;
 Silk shantung, in the piece;
 Spirits, methylated;
 Spirits of a strength of not less than 43 degrees above proof;
 Submarine sound signalling apparatus;
 Surgical bandages and dressing (including butter cloth);
 Swords, bayonets, and other arms (not being firearms) and parts thereof;
 Tanning substances of all kinds (including extracts for use in tanning) except chestnut extract, oakwood extract, and valonia;
 Tarpaulins and waggon covers;
- Telephone sets and parts thereof, field service telegraph and telephone cable;
 Torpedo nets;
 Torpedo tubes;
 Torpedos and parts thereof;
 Tungsten filaments for electric lamps;
 Turpentine (oil and spirit).
 Uniform clothing and military equipment;
 Vessels, boats and craft of all kinds, floating docks and their component parts;
 Waggons, four wheeled, capable of carrying one ton or over, and their component parts;
 Wax, mineral and vegetable, except Car-nauba wax;
 Wire, barbed, and galvanised wire, and implements for fixing and cutting the same (but not including galvanised wire netting);
 Wire, steel, of all kinds;
 Wheat, wheat flour, and wheat meal;
 Wood, namely:—
 Ash;
 Ash three-ply wood;
 Spruce;
 Walnut wood;
 Wood tar, and wood tar oil;
 Wool, raw (sheep's and lamb's);
 Wool tops;
 Wool noils;
 Wool waste;
 Woollen rags, applicable to other uses than manure, pulled or not;
 Woollen and worsted cloth suitable for uniform clothing, not including women's dress stuffs or cloth with pattern;
 Woollen and worsted yarns;
 Woollen jerseys, cardigan jackets, woollen gloves, woollen socks, and men's woollen underwear of all kinds;
 Zinc (including zinc ashes, zinc rods, zinc sheets, spelter, and spelter dross).

(c) That the exportation of the following goods be prohibited to all Foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal:—

- Anchors and chain cables;
 Armour plates, armour quality castings, and similar protective material;
 Asbestos;
 Bags and sacks of all kinds (except bags and sacks made of jute, and paper bags);
 Bicycles and their component parts;
 Binder twine;
 Bladders, castings, and sausage skins;
 Camphor;
 Carnauba wax;
 Chemicals, drugs, etc:—
 Acetic acid;
 Antimony, compounds of, except sulphides and oxides of antimony;
 Arsenic and its compounds;
 Bichromate of soda;
 Bismuth and its salts (except bismuth nitrate);
 Copper, compounds of, except copper nitrate; copper iodide; copper, suboxide of; copper sulphate;
 Iodine and its preparations and compounds;
 Nux Vomica and its alkaloids and preparations;
 Sodium cyanide;
- Sodium sulphide;
 Tin, compounds of, other than chloride of tin and tin ore;
 Charcoal and peat;
 Chronometers and all kinds of nautical instruments;
 Compasses for ships, and parts thereof, including fittings such as binnacles;
 Cotton, raw;
 Cotton yarn and thread;
 Fire-arms, unrifled, for sporting purposes;
 Flaxen canvas, namely:—
 Hammock canvas;
 Kitbag canvas;
 Merchant Navy Canvas;
 Royal Navy canvas;
 Tent canvas;
 Forage and food which may be used for animals, namely:—
 Buckwheat;
 Cakes and meals, the following, namely:—
 Biscuit meal;
 Calf meal;
 Fish meal and concentrated fish;
 Green forage;
 Ground nut or earth nutcake and meal;

Hempseed cake and meal;
 Husk meal;
 Locust bean meal;
 Lupin seeds;
 Meat meal;
 Palmtree cake and meal;
 Poppyseed cake and meal;
 Rapeseed or colzaseed cake and meal;
 Sesame seed cake and meal;
 Soya bean cake and meal;
 Sunflower seed cake and meal;
 Chick peas, pigeon peas, gram or dhol;
 Dari;
 Millet;
 Molasses for cattle feeding;
 Grindstones, carborundum wheels, and emery wheels;
 Gum copal; and other gums, resins, balsams, and resinous substances of all kinds, except such as contain caoutchouc;
 Hair, animal, of all kinds; and tops, noils and yarns of animal hair;
 Implements and apparatus designed exclusively for the manufacture of munitions of war, for the manufacture or repair of arms or of war material for use on land or sea, namely, plant for cordite and ammunition factories, viz:—
 Cordite presses;
 Dies for cartridge cases;
 Gauges for shells or cartridges;
 Incorporators;
 Lapping machines;
 Rifling machines;
 Wire-winding machines;
 Intrenching tools and intrenching implements, namely, pick-axes, and grubbers, whether of combination pattern or otherwise; spades and shovels of all descriptions; helms and handles for pick-axes, grubbers, spades, and shovels; and machinery for trenching and ditching;
 Lacs of all kinds, including shellac, gum lac, seed lac, stick lac, and other forms of lac, but not including lac dye;
 Lignum vitæ;
 Linen close canvas;
 Linen duck cloth;
 Machinery, metal-working;
 Mahognay;
 Mess tins, and water bottles for military use;

Metals and ores, viz:—
 Copper ore;
 Iron ore;
 Iron hæmatite pig;
 Monazite sand;
 Moong (Chiroko);
 Motor vehicles of all kinds, including motor bicycles, and their component parts and accessories;
 Mwele;
 Packings, engine and boiler (including slag-wool);
 Provisions and victuals which may be used as food for man, namely:—
 Bacon, ham and pork;
 Cassava powder and tapioca;
 Cocoa powder;
 Cocoa, raw, of all kinds, and all preparations of cocoa, including cocoa, husks, cocoa shells, and chocolate;
 Coffee;
 Herrings, cured or salted, in barrels or cases, including dry salted herrings and herrings in brine;
 Mandioca or tapioca flour;
 Onions;
 Potatoes;
 Rice and rice flour;
 Rye, rye flour and meal;
 Sago and sago meal and flour;
 Soups, compressed and dessicated;
 Tinned and potted meats and extract of meat;
 Vegetables, fresh, except peas;
 Railway material, both fixed and rolling stock;
 Rattans;
 Seeds, clover and grass;
 Shipbuilding materials, namely:—
 Boiler tubes;
 Condenser tubes;
 Iron and steel castings and forgings for hulls and machinery of ships;
 Iron and steel plates and sectional materials for shipbuilding;
 Marine engines, and parts thereof;
 Ships' auxiliary machinery;
 Sounding machines and gear;
 Telegraphs, wireless telegraphs and telephones, materials for;
 Terneplates;
 Tin plates, including tin boxes and tin canisters, for food packing;
 Wimbi;

(d) That the exportation of the following goods be prohibited to all destinations other than the United Kingdom, British Possessions, Protectorates, Italy and France:—

Maize;

Ground nuts, earth nuts, or pea nuts (*Arachides*).

(e) That the exportation of all goods be prohibited to Bulgaria.

(f) That power be and is hereby reserved for the Governor to permit by licence the exportation of any goods or class of goods the exportation of which is herein prohibited.

And,

(g) That the following Proclamations be hereby annulled, namely:—

Proclamation, dated the 9th day of April, 1915 (Proclamation No. 14).

Proclamation, dated the 2nd day of July, 1915 (Proclamation No. 35).

Proclamation, dated the 27th day of July, 1915 (Proclamation No. 37).

Proclamation, dated the 17th day of August, 1915 (Proclamation No. 40).

Proclamation, dated the 31st day of August, 1915 (Proclamation No. 41).

Proclamation, dated the 15th day of September, 1915 (Proclamation No. 45).

Given under my hand at Nairobi this second day of October, 1915.

(Signed) H. CONWAY BELFIELD,

Governor and Commander-in-Chief.

GOD SAVE THE KING.

*Repealed p 579/09.16***Under the Customs Amendment Ordinance, 1915.**

IN EXERCISE of the powers conferred upon me by the Customs Amendment Ordinance 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare that the exportation of the following articles be prohibited to all foreign countries in Europe and in the Mediterranean and Black Seas other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal:—

Coir,
Kapok,
Ramie,
Sisal and other fibres together with yarns made therefrom.

Given under my hand at Nairobi this 25th day of October, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOD SAVE THE KING.

*Amended p 63***Under the Customs Amendment Ordinance, 1915.**PROHIBITED EXPORTS. *Repealed p 579/09.16.*

IN Exercise of the powers vested in me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, I hereby declare that the Proclamation dated the 2nd day of October, 1915 (Proclamation No. 47) be amended by making the following amendments:—

1. That the headings
 - “ Animals, pack, saddle and draught, suitable for use in war.”
 - “ Antipyrine (Phenazone).”
 - “ Bone ash.”
 - “ Diamonds, rough, suitable for industrial purposes.”
 - “ Jute piece goods, jute webbing, and bags and sacks made of jute ”;
 - “ Mica (including mica splittings and mica nitrite ”;
 - “ Milk condensed sweetened or not.”

in the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates should be deleted, and there be substituted therefor the headings:—

- “ Animals, pack, saddle and draught, suitable or which may become suitable for use in war ”;
- “ Antipyrine (phenazone) and its derivatives ”;
- “ Bones for manure, dissolved bones, bone flour, bone meal and bone ash ”;
- “ Diamonds, rough, suitable for industrial purposes, including Brazilian carbon ”;
- “ Jute piece goods, jute webbing, and bags and sacks made of jute ”;
- “ Mica (including mica splittings and mica chimneys and mica nitrite ”;
- “ Milk, condensed or preserved, whether sweetened or not ”;

2. That the headings “ Maize germ meal ” in the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates should be deleted, and there be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, the heading:—

“ Maize germs and maize germ meal ”:

3. That the heading “ Iron ore ” in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, should be deleted and there be substituted therefor the heading:—

“ Iron ore (except Cumberland hematite iron ore, the exportation of which is prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates) ”;

4. That the heading “ Molasses for cattle feeding ” in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal, should be deleted.

5. The exportation of the following goods, which is at present prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal:—

- Brewers' and distillers' grains;
- Brewers' dried yeast;
- Coconut and poonac cake;
- Gluten meal or gluten feed;

- Maize meal and flour;
 Mill dust and screenings of all kinds;
6. That the exportation of the following goods be prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates:—
- Chlorides of sulphur;
 Chromium, compounds of, except bichromate of soda (the exportation of which is and remains prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (through Baltic ports), Italy, Spain and Portugal);
 Fustic (chips and extracts) and logwood (chips and extract, including hæmatine crystals and other logwood preparations);
 Iron ore, Cumberland hæmatite;
 Magnesite and magnesite bricks;
 Whale meal;
7. That the exportation of the following goods should be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic ports), Italy, Spain and Portugal:—
- Chemicals, drugs, etc:—
 Calcium sulphide;
 Formic acid;
 Sodium carbonate (including soda ash, soda crystals and bicarbonate of soda);
 China clay (including China stone and potters' clay);
 Gas carbon;
 Pepper;
- Ply wood of all kinds, except ash three ply wood (the exportation of which is already prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates);
- Provisions and victuals which may be used as food for man, namely:—
- Bean flour and meal;
 Biscuits, bread and cakes, all kinds of;
 Corn flour;
 Corn grits;
 Hominy;
 Lentil flour and meal;
 Macaroni, spaghetti and vermicelli;
 Meat of all kinds (except poultry and game), not including beef and mutton, fresh or refrigerated (the exportation of which is already prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates);
 Pea flour and meal;
 Prepared food wholly or partially derived from cereals;
 Salts of aluminium (other than alunite and nitrate of aluminium);
 Semolina.

Given under my hand at Nairobi this 10th day of November, 1915.

H. CONWAY BELFIELD,
 Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 56]

PROCLAMATION. *26/11/15*

Under the Customs Amendment Ordinance, 1915.

IN EXERCISE of the power conferred upon me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare:

1. That no goods the exportation of which is not otherwise prohibited or restricted be exported from the Protectorate to the Netherlands unless such goods are consigned to the Netherlands Overseas Trust, and
2. That no goods the exportation of which is prohibited or restricted under any proclamation for the time being in force but the exportation of which is authorised by a licence issued by the Governor under Proclamation No. 47 be exported to the Netherlands.

Given under my hand at Nairobi this 6th day of November, 1915.

H. C. BELFIELD,
 Governor and Commander-in-Chief.

GOD SAVE THE KING.

Under the Customs Amendment Ordinance, 1915.

IN EXERCISE of the powers vested in me by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare that the Proclamation dated the 2nd day of October, 1915 (Proclamation No. 47) as amended by the Proclamation dated the 10th day of November, 1915 (Proclamation No. 54) be amended by making the following amendments and additions:

- (1) That the heading " Blankets, coloured, exceeding 3½ lbs. in weight, containing wool " in the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates, be deleted and there be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal, the heading " Blankets, of all descriptions."
- (2) That the heading " Cotton Fabric suitable for aircraft " in the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates be deleted.
- (3) That the heading " Cotton yarn and thread " in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal be deleted.
- (4) That there be substituted for the headings " Cotton fabric suitable for aircraft " and " Cotton yarn and thread " the heading " All manufactures and products of cotton, except cotton lace and cotton waste " and that such heading be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal.
- (5) That the heading " Leather, undressed or dressed, suitable for saddlery, harness, military boots or military clothing " in the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom, British Possessions and Protectorates be deleted and there be substituted therefor the heading " Harness and saddlery including metal fittings for such harness or saddlery."
- (7) That the headings " Goatskins, dressed and undressed," " Sheepskins, tanned," and " Sheepskins, whether woolled or not," in the list of goods the exportation of which is prohibited to all destinations abroad other than the United Kingdom, British Possessions and Protectorates be deleted and there be substituted therefor the headings " Sheepskins woolled " and " Skins of sheep and goats, undressed or dressed other than those the exportation of which is specifically prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal."
- (8) That the headings " Deerskins, dressed and undressed " and " Pigskins, dressed or undressed " in the list of goods the exportation of which is prohibited to all destinations abroad other than the United Kingdom, British Possessions and Protectorates be deleted and there be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal the heading " Deerskins and Pigskins, undressed or dressed."
- (9) That the heading " Salts of aluminium (other than alunite and nitrate of aluminium)" in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal, be deleted and there be substituted therefor the heading " Salts of aluminium (other than alunite, ammonium alum and nitrate of aluminium the exportation of which is already prohibited to all destinations abroad other than the United Kingdom, British Possessions and Protectorates)".
- (10) That the heading " Grindstones, carborandum wheels, and emery wheels " in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal, be deleted and there be substituted therefor the headings " Grindstones ", and " Emery, corundum, natural or artificial (such as alundum), carborandum and crystolon, and manufactures thereof (including wheels, discs, paper, cloth, stones and powder)".

- (11) That the exportation of the following goods which is at present prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal, be prohibited to all destinations abroad other than the United Kingdom, British Possessions and Protectorates:—

Chronometers and all kinds of nautical instruments;
Compasses for ships, and parts thereof, including fittings such as binnacles;
Hair, animal, of all kinds; and tops, noils and .

- (12) That the exportation of the following goods be prohibited to all destinations abroad other than the United Kingdom, British Possessions and Protectorates:—

Chemicals and drugs, namely:—
Acetic ether;
Ether;
Phosgene (carbonyl chloride);
Copper wire, insulated, electric light wires and cables, and power cables.
Leather belting, hydraulic leather, pump leather, and picking bands;
Platinum;
Stearine pitch and other pitches derived from fatty oils and acids.

- (13) That the exportation of the following goods be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas other than France, Russia "except through Baltic Ports", Italy, Spain and Portugal:—

Arsenical ore;
Black plates, and black sheets under one-eighth inch in thickness;
Bookbinding leathers;
Borax, boric acid, and other boron compounds;
Chamois, glace kid, morocco, persians, roans and seal leather;
Cocoanut, desiccated;
Furs, dressed or undressed, and manufactures thereof;
Leather suitable for textile machinery, except picking bands.

Given at Nairobi this 7th day of December, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOD SAVE THE KING.

PROCLAMATION No. 61.]

PROCLAMATION. *Repealed p 579/08 16*

Under the Customs Amendment Ordinance, 1915.

PROHIBITION OF EXPORTS.

IN EXERCISE of the powers conferred upon the Governor by the Customs Amendment Ordinance, 1915, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby declare that the Proclamation dated the 2nd day of October, 1915 (Proclamation No. 47) as amended and added to by subsequent Proclamations under the Customs Amendment Ordinance, 1915, be further amended by making the following amendments and additions thereto:—

- (1) That the exportation of the following goods be prohibited to all destinations other than the United Kingdom and British Possessions and Protectorates:—
Cinchona bark, quinine and its salts;
Metal cylinders such as are used for containing compressed oxygen or hydrogen.
- (2) That the heading " Oil blast furnace (except creosote and creosote oil)," in the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom and British Possessions and Protectorates be deleted and there be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal, the heading " Creosote and creosote oils (including blast furnace oil) except wood tar oil (the exportation of which is already prohibited to all destinations other than the United Kingdom and British Possessions and Protectorates)."
- (3) That the heading " Woollen and worsted cloth suitable for uniform clothing, not including women's dress stuffs or cloth with pattern " in the list of goods the exportation of which is prohibited to all destinations other than the United Kingdom and British Possessions and Protectorates be deleted and there be inserted in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal, the heading " Cloth of all kinds manufactured of wool or hair (except khaki woollen cloth, the exportation of which is already prohibited to all destinations other than the United Kingdom and British Possessions and Protectorates)."

- (4) That the heading "Herrings, cured or salted, in barrels or cases, including dry salted herrings in brine," in the list of goods the exportation of which is prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas, other than France, Russia (except through Baltic Ports), Italy, Spain and Portugal be deleted and there be substituted therefor the heading:—
"Fish of all kinds, whether cured, salted or fresh."
- (5) That the exportation of the following goods be prohibited to all foreign countries in Europe and on the Mediterranean and Black Seas except France, Russia (except through Baltic Ports), Italy, Spain and Portugal:—
Arrowroot.

GIVEN at Mombasa this 13th day of December, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOD SAVE THE KING.

GOVERNMENT NOTICE No. 108] NOTICE.

THE following towage fees are approved during the continuation of the present War, in addition to those specified in Government Notice No. 132 of May 31st, 1913, on page 493, *Official Gazette*, June 1st, 1913.

Nairobi,
June 15th, 1915.

C. C. BOWRING,
Chief Secretary.

For the hire of the Government steam launch "Mvita"

IN THE HARBOUR.

For Dhows of 1—10 tons	...	...	Rs. 1/- per ton.
" " " 10—20 "	...	...	Rs. 12/- "
" " " 20—30 "	...	...	Rs. 15/- "

GOVERNMENT NOTICE No. 110] NOTICE.

Under the Volunteer Ordinance, 1915.

NAIROBI DEFENCE FORCE.

IN EXERCISE of the powers conferred upon me by the Volunteer Ordinance, 1915.

I hereby sanction the formation of a Volunteer Corps to be known as the Nairobi Defence Force and I hereby prescribe the following terms of service therefor:—

- (1) The period of service shall be for the duration of the present War.
- (2) The aforesaid Force shall be employed for the defence of Nairobi only.
- (3) On the mobilisation of the Force pay and allowances shall be granted at the same rate as prescribed for Local Forces.
- (4) Uniform, arms, and equipment will be supplied by the Government.
- (5) Ammunition will be supplied free for range practices.
- (6) Petrol will be supplied to those members using their own motors or motor bicycles for parade purposes, at the discretion of the Officer Commanding.
- (7) There will be two compulsory parades and one compulsory range practice per week.
- (8) Company Officers will be elected by the members themselves.
- (9) The Officer Commanding shall be such Officer as the Governor and Commander-in-Chief may appoint.

Given under my hand at Nairobi this 22nd day of June, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOVERNMENT NOTICE No. 116] NOTICE.

Under the Volunteer Ordinance, 1915.

MOMBASA DEFENCE FORCE.

IN EXERCISE of the powers conferred upon me by the **Volunteer Ordinance, 1915.**

I hereby sanction the formation of a Volunteer Corps to be known as the Mombasa Defence Force and I hereby prescribe the following terms of service therefor:—

- (1) The period of service shall be for the duration of the present War.
- (2) The aforesaid Force shall be employed in the defence of Mombasa only.
- (3) On the mobilisation of the Force for active service pay and allowances shall be granted at the same rates as prescribed for Local Forces.
- (4) Uniform, arms, and equipment will be supplied by the Government.
- (5) The Corps will be divided into two sections, one the Active Force consisting of members of 40 years of age and under, and the other the Reserve Force consisting of members who are over 40 years of age.
- (6) There will be eight compulsory drills per mensem for members of the Active Force and two compulsory drills per mensem for members of the Reserve Force.

Given under my hand at Nairobi this 26th day of June, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOVERNMENT NOTICE No. 137] NOTICE.

Under the Trading with the Enemy Ordinance, 1915.

NOTICE is hereby given that His Majesty's High Court of East Africa, under the provisions of the Trading with the Enemy Ordinance, 1915, section 4, has, by a final order dated the 6th day of August, 1915, appointed N. B. Cox, Esquire, Deputy Chief of Customs, to be Controller to manage and control in East Africa the following firms the property of Enemy subjects:—

Messrs. Hansing and Company.
Messrs. William O'Swald and Company.
Africana Handels Gesellschaft.
Westdeutsche Handels und Plantagen Gesellschaft (Westplant).
Messrs. Alois Schweiger and Company.
Messrs. Strathmann and Joachim.

2. All sums due to the aforesaid firms should be paid to the Controller at Mombasa and all accounts should be rendered to the Controller forthwith.

Nairobi,
Dated the 11th day of August, 1915.

C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 155] NOTICE.

The East Africa Volunteer Reserve.

NOTICE OF DISBANDMENT.

IN VIEW of the fact that the majority of the members of the East Africa Volunteer Reserve are serving in other corps or units His Excellency the Governor has deemed it expedient to exercise the power conferred upon him by Section 30 of the East Africa Volunteer Reserve Ordinance, 1910, and has ordered on the 18th day of August, 1915, that the Volunteer Reserve be disbanded. The Volunteer Reserve is accordingly disbanded from such date.

By Order

Nairobi,
Dated the 19th day of August, 1915.

C. C. BOWRING,
Chief Secretary.

GOVERNMENT NOTICE No. 179]

NOTICE.

Under the Registration of Persons Ordinance, 1915.

The above mentioned Ordinance having been applied by Proclamation to all persons of both sexes of European origin between the ages of 15 and 65 (excepting members of His Majesty's Naval Forces or of His Majesty's Regular or Colonial Forces) it is now incumbent on all persons required to be registered to obtain and fill in one of the prescribed forms.

Members of the Mombasa and Nairobi or any other local Defence Forces are not exempted from registration.

For the convenience of the public endeavours will be made to deliver at every dwelling house a sufficient number of registration forms, but this does not relieve individuals from the liability of obtaining possession of the prescribed forms.

A supply of forms will be maintained for issue on demand at every District Commissioner's Office and Police Station throughout the Protectorate and at the Office of the Principal Immigration Officer, Mombasa.

It is the duty of every person liable to registration to deliver or send by the prescribed date the prescribed form duly filled in and signed to the District Commissioner of his District.

The prescribed dates are as follows:—

(a) In the case of the townships of Mombasa, Voi, Nairobi, Naivasha, Nakuru, Lumbwa and Kisumu, on or before September 30th.

(b) In all other areas, on or before October 21st.

In country Districts, where forms will be distributed and collected by Police Patrols, delivery of a completed form to one of these Patrols will be deemed to be delivery to a District Commissioner.

Persons may also leave the completed forms at the District Commissioner's Office, or may send them through the Post. If the latter alternative is adopted the forms may be folded in three and posted after the postal address of the District Commissioner has been filled in in the space provided for that purpose. Forms thus posted will not require stamps.

In order to obviate any unnecessary inconvenience both to the Registration Authorities and to persons required to be registered it is earnestly requested that the greatest care be taken in completing the forms by filling them in accurately and signing them. Persons in doubt as to how to fill in the required particulars will receive assistance from District Commissioners and Police Officers.

Any person over 18 years of age required to register himself or herself under this Ordinance who refuses or neglects to fill in the prescribed form accurately and completely to the best of his or her knowledge and belief and to send it by the prescribed date to the District Commissioner of his or her District, will render himself or herself liable to a fine of Rs. 150.

Nairobi,
22nd September, 1915.

C. C. BOWRING,
Central Registration Authority.

GOVERNMENT NOTICE No. 181]

RULES.

Under the Registration of Persons Ordinance, 1915.

RULES issued by the Governor in Council under Section 11 of the Registration of Persons Ordinance, 1915.

Nairobi,
Dated this 20th day of September, 1915.

H. C. BELFIELD,
Governor.

1. The forms in the First and Second Schedule hereto are prescribed forms for the purposes of the said Ordinance.

2. All persons, male and female, of European origin between the ages of 15 and 65 (subject to the exceptions in the said Ordinance provided) shall fill up and sign a form in the form set forth in the First Schedule.

3. All forms so filled up and signed as aforesaid shall be returned to the Local Registration Authority in the case of residents:—

(a) within Townships situate on the Uganda Railway line on or before the 30th September, 1915.

(b) within other areas on or before the 21st October, 1915.

4. On completion of registration in accordance with the said Ordinance every person shall be supplied with a certificate of Registration in the form set forth in the Second Schedule hereto.

First Schedule.

Original Copy.

NAME:

(SURNAME FIRST).....

RESIDENCE:

(PERMANENT POSTAL ADDRESS).....

(PRESENT ADDRESS, IF AWAY FROM HOME).....

Age last Birthday. (1.)	If born abroad and not British, state Nationality. (2.)	State whether Single, Married, or Widowed. (3.)	How many Children are dependent on you? (4.)		How many other Persons are dependent on you, excluding employees? (5.)		Profession or Occupation. State fully the particular kind of work done, and the material worked or dealt in (if any). (6.)
			Under 15 years. (a)	Over 15 years. (b)	Wholly dependent. (a)	Partially dependent. (b)	
			(a)	(a)	(a)	(a)	
			(b)	(b)	(b)	(b)	
Name, Business, and Business Address of Employer. (If not working for an Employer, write "None.") (7.)		(9.) (a) Are you skilled in any work other than that upon which you are at present employed, and if so, what?					
		(b) Are you able and willing to undertake such work?					
		(c) If a male, are you fit for Military Service?					
During what months of the year would your absence from your farm or business be least detrimental to your private interests? (8.)		(d) Have you any previous Military experience, if so, what?					

Signature.....

Duplicate Copy.

NAME :

(SURNAME FIRST).....

RESIDENCE :

(PERMANENT POSTAL ADDRESS).....

(PRESENT ADDRESS, IF AWAY FROM HOME).....

Age last Birth-day. (1.)	If born abroad and not British, state Nationality. (2.)	State whether Single, Married, or Widowed. (3.)	How many Children are dependent on you? (4.)		How many other Persons are dependent on you, excluding employees? (5.)		Profession or Occupation. State fully the particular kind of work done, and the material worked or dealt in (if any). (6.)	
			Under 15 years. (a) (b)	Over 15 years. (a) (b)	Wholly dependent. (a) (b)	Partially dependent. (a) (b)		
Name, Business, and Business Address of Employer. (If not working for an Employer, write "None.") (7.)			(9.)					
			(a) Are you skilled in any work other than that upon which you are at present employed, and if so, what?					
			(b) Are you able and willing to undertake such work?					
			(c) If a male, are you fit for Military Service					
During what months of the year would your absence from your farm or business be least detrimental to your private interests (8.)			(d) Have you any previous Military experience, if so, what?					

Signature.....

Second Schedule.

EAST AFRICA PROTECTORATE.

The Registration of Persons Ordinance, 1915.

No.....

This is to certify that.....
 residing at.....
 has been duly registered in accordance with the provisions of the above mentioned Ordinance.

.....
Local Registration Authority.

Date.....

Signature of person Registered.
.....

GOVERNMENT NOTICE No. 187]

RULE.

Under the Native Followers Recruitment Ordinance, 1915.

RULE issued by the Governor under Section 5 of the Native Followers Recruitment Ordinance, 1915.

Nairobi,

Dated this 28th day of September, 1915.

H. C. BELFIELD,

Governor.

1. All natives recruited under the Native Followers Recruitment Ordinance, 1915, to serve as carriers or other followers in the East Africa Transport Corps shall be paid at the rates following namely—

For the first three months of service Rs. 5/- per month and rations, and thereafter Rs. 6/- per month and rations. Provided that nothing herein shall be held to limit the discretion of the Military Authorities in paying special rates to carriers or other followers selected for special duties, and provided further that nothing herein shall affect any native recruited under the said Ordinance prior to the publication of this Rule.

GOVERNMENT NOTICE No. 197]

RULES.

Under the East Africa Townships Ordinance, 1903.

RULES issued by the Governor of the East Africa Protectorate under the provision of the East Africa Townships Ordinance, 1903.

Nairobi,

Dated this 5th day of October, 1915.

H. C. BELFIELD,

Governor.

1. The Rules shall apply to the Township of Mombasa, and may be cited as the Mombasa Motor Stand Rules, 1915.

2. Such places only, as the Superintendent of Conservancy shall from time to time appoint by notice in the *Official Gazette* shall be public stands where Public Motor Cars may stand for hire.

3. At every stand a board shall be fixed showing the number of Motor Cars allowed at a stand, and any driver of a public motor car who shall bring or attempt to bring his car on to any stand at which there shall be already the full number of motor cars allowed shall be guilty of an offence against these Rules.

4. All public motor cars shall take their stand on any stand appointed for that purpose in order of their arrival, and on any person calling for any such motor car the front motor car shall go forward and no other, unless the hirer shall select some other motor car, and the place vacated by any motor car moving off the stand shall be occupied by the motor car immediately behind such motor car and all other motor cars shall draw up in like order.

5. All public motor cars on any stand shall be placed in accordance with the rule of the road.

THE following places shall be Public Motor Car Stands in the Mombasa Township:—

1. North West of the Office of Administrator General.
2. Near the Treasury Building.
3. North side of Hotel Metropole.
4. North of Railway Bridge, Kilindini.
5. Near Kilindini Customs.

H. SANDERSON,
Superintendent of Conservancy.

GOVERNMENT NOTICE No. 200] RULES.

Under the Registration of Persons Ordinance, 1915.

RULES issued by the Governor-in-Council under Section 11 of the Registration of Persons Ordinance, 1915.

Nairobi,

Dated this 11th day of October, 1915.

C. C. BOWRING,

Governor's Deputy.

1. These Rules may be cited as the Registration of Persons Rules (No. 2) 1915.

2. The Central Registration Authority constituted under the Registration of Persons Ordinance, 1915, is authorised and empowered to employ the Governor's War Council and any members of the Central Committee of the Women's War Work League and to communicate to them any information contained in any forms prescribed under the said Ordinance for the purpose of tabulating the same or otherwise acting under his instructions.

3. Any Local Registration Authority constituted under the Registration of Persons Ordinance, 1915, is authorised and empowered to employ the District Commissioners' Organising Committee and any Local Committee of the Women's War Work League within his district and to communicate to them any information contained in any forms prescribed under the said Ordinance for the purpose of tabulating the same or otherwise acting under his instructions.

GOVERNMENT NOTICE No. 234] RULES.

Under the Trading with the Enemy Amendment Ordinance, 1915.

RULES made by His Excellency the Governor under the provisions of the Trading with the Enemy Amendment Ordinance, 1915.

Nairobi,

Dated this 9th day of November, 1915.

H. CONWAY BELFIELD,

Governor.

1. These Rules may be cited as the Liquidation of Enemy Firms Rules, 1915.

2. For the purposes of these rules an "Enemy Firm" means any business or firm in the Protectorate the property of a subject of a State for the time being at War with His Majesty.

3. The Governor may appoint a person to act as Liquidator of Enemy Firms.

4. The powers of a Liquidator when appointed by the Governor to liquidate an Enemy Firm shall include power:—

- (1) to collect all the assets of such firm.
- (2) to sue for all outstanding amounts due to such firm.
- (3) to compound or settle any claim made on such firm or any claim made by the Liquidator on its behalf.
- (4) to sell the stock in trade of such firm.
- (5) to pay sums owing by such firm to British creditors and to creditors of allied and neutral countries. Provided that no creditor living in an Enemy country shall be so paid.

5. Any claim made by a creditor of an Enemy firm the liquidation of which has been ordered by the Governor shall be made in writing. The Liquidator may require an affidavit in support of such claim. Such claim shall be filed with the Liquidator within

one calendar month after his appointment to liquidate such firm. Nothing in this rule contained shall be deemed to limit the Liquidator's right to demand such proof of any such claim as he may think fit.

6. The Liquidator of an Enemy firm the liquidation of which has been ordered by the Governor shall collect and pay to the general revenue of the Protectorate as fees for such liquidation:—

(a) a sum at the rate of 10 per centum on all the outstandings recovered by him.

(b) a sum at the rate of 5 per centum on all sales of stock made by him for cash and

(c) a sum at the rate of 1 per centum on cash and bank balances taken over by him.

7. The Liquidator of an Enemy firm the liquidation of which has been ordered by the Governor may employ such clerks and servants as may be necessary for the purposes of such liquidation and may pay such clerks and servants from the assets of such an Enemy firm and may also pay from the assets of such firm any rent management charges and other out of pocket expenses incurred in the liquidation thereof.

8. Subject to these rules a Liquidator of an Enemy firm the liquidation of which has been ordered by the Governor shall exercise the powers of a receiver and manager.

9. The property held by a Liquidator of an Enemy firm in accordance with these rules shall not be liable to be attached or otherwise taken in execution.

10. The Liquidator of an Enemy firm shall deal with any balance standing to the credit of such firm after the payment of the sums due to such firm's creditors in accordance with rule 4 (5) hereof as the Governor-in-Council may direct.

GOVERNMENT NOTICE No. 238] NOTICE.

Under the Trading with the Enemy Amendment Ordinance, 1915.

IN EXERCISE of the powers conferred upon me the Governor by the Trading with the Enemy Amendment Ordinance, 1915, Section 5, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate hereby appoint ERNEST ADAMS, Esquire, the Liquidator of Enemy Firms to liquidate in accordance with the provisions of the aforesaid Ordinance and the Rules thereunder the following firms:—

W. HINTZMANN AND COMPANY,
CHAS. A. HEYER AND COMPANY,
THE AFRICA HOTEL, MOMBASA.
THE DEUTCH OST-AFRIKA-GESELLSCHAFT,
THE DEUTSCHE ENGLISCHE OSTAFRIKA KOMPAGNIE, VOI.

Given under my hand at Nairobi, dated this 9th day of November, 1915.

H. C. BELFIELD,
Governor and Commander-in-Chief.

GOVERNMENT NOTICE No. 248] NOTICE.

Under the Native Authority Ordinance, 1912.

IN EXERCISE of the power conferred upon the Governor by the Native Authority Ordinance, 1912, Section 7 (m), I hereby approve that the Paramount Headman of the Kiambu Kikuyu Reserve issue orders at the direction of the District Commissioner, Kiambu, under Section 8 (1) of the aforesaid Ordinance whereby the breaking up or conversion into agricultural land of the grazing land within such area at Niakumu as the District Commissioner may appoint may be prevented.

Given under my hand at Nairobi this 9th day of November, 1915.

H. C. BELFIELD,
Governor.

GOVERNMENT NOTICE No. 249] NOTICE.

Under the Native Hut and Poll Tax Ordinance, 1910.

I, HENRY CONWAY BELFIELD, Governor of the East Africa Protectorate, do hereby order that the powers conferred upon me by Section 12 of the Native Hut and Poll Tax Ordinance, 1910, that the people of the villages of Jaber and Gedful in the District of Gosha shall be exempt from payment of hut tax during the year ending 31st March, 1916.

Nairobi,
Dated this 17th day of November, 1915.

H. C. BELFIELD,
Governor.

Under the Trading with the Enemy Amendment Ordinance, 1915.

IN EXERCISE of the powers conferred upon me the Governor by the Trading with the Enemy Amendment Ordinance, 1915, Section 5, I, Henry Conway Belfield, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the East Africa Protectorate, hereby appoint Ernest Adams, Esquire, the Liquidator of Enemy Firms to liquidate in accordance with the provisions of the aforesaid Ordinance and the Rules thereunder the following firms:—

MESSRS. HANSING AND COMPANY,

„ WILLIAM O'SWALD AND COMPANY,

„ ALOIS SCHWEIGER AND COMPANY,

„ STRATHMAN AND JOACHIM,

„ WESTEDISCHE HANDELS UND PLANTAGEN GESELLSCHAFT,

„ AFRICANA HANDELS GESELLSCHAFT.

Given at Nairobi this 30th day of November, 1915.

H. C. BELFIELD,

Governor and Commander-in-Chief.